

## City of Berkeley



Planning and Community  
Development Department  
Civic Center Building  
2180 Milvia Street, 2nd Floor  
Berkeley, California 94704

CR No. 792

FOR COUNCIL ACTION

December 8, 1983

To: Honorable Mayor and  
Members of the City Council

From: Daniel Boggan, Jr., City Manager *DBJ*

Subject: WATERFRONT PLANNING

Introduction

In April 1983, City Council initiated Phase 1 of the Waterfront Planning Process. Its purpose was to develop goals and land use policies to guide waterfront planning and to identify a planning process for the formulation and evaluation of a development plan for the waterfront. To accomplish this, four community workshops, two Council/Board/Commission workshops and two information sessions were held during the summer. In September, staff issued a report on these activities as well as preliminary recommendations on goals and policies and a Phase 2 Planning Process.

The September report was reviewed by the Planning Commissions, Waterfront Advisory Board, Parks and Recreation Commission and Transportation Commission. Each of these appointed bodies submitted their comments and recommendations on the report, the draft goals and policies and the Phase 2 Planning Process. In addition, a public workshop was held at which individuals and community organizations presented their comments and recommendations.

Based upon the initial workshop process, the response to the September report and staff analysis, the attached report was prepared which sets forth recommendations for further waterfront planning. The significant areas of change to the goals and policies at this time were designed to:

- Strengthen policies on enforceable plans for equity participation and targetting employment.
- Provide inclusion of the waterfront policies contained in the 1977 Master Plan.
- Preface the goals and policies with an introductory statement on the significance of the waterfront.
- Reorder the goals and policies to emphasize social needs and environmental conditions.





- Identify the regional role of the waterfront for recreation.
- Relate the waterfront to the remainder of the City.
- Clarify language and intent.

The Planning Process which is recommended incorporates into a hybrid process comments on the options presented for discussion in September. Key elements of this process are:

- Designation of Waterfront Planning Task Force to guide the development of the plan.
- Planning based on a thorough environmental, social and cultural "cost-benefit" analysis of concrete development scenarios.
- Simultaneous certification of the EIR, amendment of the Master Plan, adoption of a Specific Plan and approval of implementation tools which may include a Development Agreement.
- Retention of an independent blue ribbon panel of land use, design, economic and environmental experts among others to critique the research and planning products at regular intervals.

The report which this memorandum summarizes contains the following elements:

- (1) Chapters on Goals and Policies, the Planning Process, Participation in the Phase 2 Planning Process, Work Program for the Phase 2 Planning Process, and Funding for the Phase 2 Planning Process.
- (2) Attachments which contain the full reports of the City's Boards and Commissions and cost estimates for the waterfront planning process to date.

Copies of the September 1983 report on the Phase 1 Planning Process are provided to members of the City Council and to the main and branch libraries.

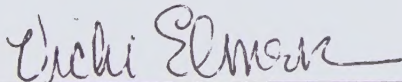
#### RECOMMENDATION

- (1) Adopt the attached preliminary goals and policies to guide Phase 2 of the Waterfront Planning Process.
- (2) Approve the planning process described in Section 2 and depicted on the attached Phase 2 Planning Process chart.
- (3) Provide for participation in the Phase 2 Planning Process by:
  - (a) Establishing a Waterfront Task Force comprised of two representatives from the City Council and the Planning Commission; one representative each from the Waterfront Advisory Board, Parks and Recreation Commission, Transportation Commission, Human Relations and Welfare Commission and Housing Advisory and Appeals Board; and two community representatives.



- (b) Appointing two Council members to serve on the Waterfront Task Force and organize appointments of other members.
  - (c) Directing this Task Force to prepare and recommend for review by the Planning Commission and adoption by the City Council:
    - (1) An EIR which adequately identifies the impacts of the Specific Plan;
    - (2) Master Plan amendments incorporating substantive components of the Specific Plan;
    - (3) A Specific Plan for the Waterfront;
    - (4) Ordinances and other actions required such as a development agreement, to implement the Specific Plan.
  - (d) Directing the City Manager to organize a Technical Advisory Committee to coordinate the participation of involved City Departments, regional agencies, adjacent cities and state agencies;
  - (e) Endorsing the relationship proposed between the City Council, Planning Commission, Waterfront Task Force, City Commissions, Santa Fe, Technical Advisory Committee and Community organizations and individuals described in this section of the report and depicted on the schematic chart.
- (4) Endorse the Phase 2 work program contained in Section 4 and summarized in the attached chart.
  - (5) Authorize the City Manager to contract with Santa Fe and other potential funding sources for resources needed to carry out the Phase 2 Planning Process based upon the attached estimates and allocations.

Approved By:



Assistant City Manager  
Planning and Community Development Department

Attachments





## PRELIMINARY GOALS AND POLICIES

Berkeley residents share a common interest in the waterfront which requires a nurturing and enduring protection of this distinct and valuable natural resource. The area's delicate ecosystem, unique opportunities for bayfront dependent and bayfront-related activities and social and cultural needs of the people of the City require the land to be used with careful balance. As the last large undeveloped land area in Berkeley, the waterfront also represents an important economic resource that can provide for the well-being of all the City's people.

To protect, maintain and enhance the quality of the bayfront environment and to assure that balanced utilization and conservation of waterfront resources meet the public interest, the following goals and policies are adopted. Goals are presented in capital letters; policies which derive from each goal follow.

### SOCIAL GOALS AND POLICIES

- 1.0 PROVIDE ACTIVITIES ON THE WATERFRONT WHICH REFLECT THE VALUES, INTERESTS AND UNIQUE CHARACTER OF BERKELEY'S POPULATION AND ARE AVAILABLE TO ALL ECONOMIC AND ETHNIC GROUPS REGARDLESS OF AGE, SEX, RACE AND PHYSICAL ABILITIES.
  - 1.1 Encourage a mix of recreational, commercial and possibly residential uses which serve Berkeley residents of all economic and social/cultural backgrounds.
  - 1.2 Insure through controls on scale and design that new waterfront development maintain and enhance the urban village character of Berkeley.
  - 1.3 Require that all uses of the waterfront open to the general public, be accessible to the disabled and mobility restricted, and that the number of ground floor uses open to the general public be maximized.
  - 1.4 Insure that indirect effects of waterfront development enhance the overall ethnic, cultural and economic balance of Berkeley's residential population.
- 2.0 PROVIDE A VARIETY OF RECREATIONAL AND EDUCATIONAL ACTIVITIES WHICH ARE COMPATIBLE WITH THE WATERFRONT ENVIRONMENT AND ARE CONSISTENT WITH THE OPEN CHARACTER OF THE SITE.
  - 2.1 Develop an unbroken stretch of public open space from Emeryville to Albany as part of an East Bay Shoreline Park.
  - 2.2 Enhance recreational opportunities which meet City and regional recreational needs that benefit from the site's location, its marine characteristics and its existing Bayfront development.





- 2.3 Link new public recreational uses with those at the North Waterfront Park and the Marina.
- 2.4 Develop marine educational and cultural uses for all segments of the population.
- 2.5 Devote the publicly owned land north of Spinnaker Way to public open space and recreation without significant buildings.
- 3.0 MINDFUL OF OUR REGIONAL RESPONSIBILITIES, INSURE THAT THE COST OF REGIONAL USES OF THE WATERFRONT TO BERKELEY RESIDENTS ARE OUTWEIGHED BY THE BENEFITS.
  - 3.1 Insure that waterfront development in Berkeley is cooperatively planned with our neighbors, Emeryville and Albany.
  - 3.2 Insure that waterfront development will benefit future generations as well as today's and that legitimate regional claims on uses be acknowledged and planned for.
  - 3.3 Give priority to development which produces employment and business opportunities meeting the special needs of Berkeley's un- and underemployed population, and/or revenue to the City to meet these needs.
  - 3.4 Insure that waterfront development is consistent with the designation of the downtown as the central commercial area of the City.
  - 3.5 Insure that any pressures on Berkeley roads and its housing market from waterfront development be addressed by enforceable mitigation measures.

#### ECONOMIC GOALS AND POLICIES

- 1.0 TO PROMOTE ECONOMIC DEVELOPMENT WHICH WILL ENHANCE BERKELEY'S ECONOMIC DIVERSITY AND STRENGTHEN ITS ECONOMIC BASE WHILE COMPLEMENTING BOTH THE ENVIRONMENTAL UNIQUENESS OF THE SITE AND DEVELOPMENT IN OTHER PARTS OF BERKELEY.
  - 1.1 Insure efficient coordination of public and private resources to maximize productive use of Berkeley's waterfront location.
  - 1.2 Balance uses which require City financial support with those that generate income to the City.
  - 1.3 Encourage uses which contribute to the expansion of employment opportunities for Berkeley's work force in healthy, safe and attractive environments.
  - 1.4 Encourage opportunities at the waterfront for retention, expansion and attraction of research and advanced technology industries.



- 2.0 INSURE THE PARTICIPATION OF LOCAL BUSINESSES AND MINORITY/FEMALE OWNED BUSINESSES EQUITY PARTICIPATION AT EVERY PHASE OF THE DEVELOPMENT ACTIVITY SUCH AS INVESTMENT OPPORTUNITIES, PROFESSIONAL SERVICES CONTRACTS, SUPPLY CONTRACTS, CONSTRUCTION CONTRACTS AND SUBCONTRACTORS, OCCUPYING TENANTS AND SUPPORT SERVICE CONTRACTS IN THE COMPLETED DEVELOPMENT AMONG OTHER BUSINESS OPPORTUNITIES.
  - 2.1 Insure that a specific plan is established to achieve equity participation of minority/female owned firms in the planning, design, construction and operation of waterfront projects.
  - 2.2 Insure that proposed development contain plans for financial and/or technical assistance to support programs aimed at providing technical assistance to local and minority/female owned firms.
  - 2.3 Include minority equity participation in the planning, design, construction and operation of waterfront projects.
- 3.0 TO PROMOTE ECONOMIC DEVELOPMENT WHICH WILL MAXIMIZE EMPLOYMENT OPPORTUNITIES FOR BERKELEY'S DIVERSE RESIDENTIAL POPULATION.
  - 3.1 Insure that waterfront development is compatible with the employment needs of Berkeley's diverse population particularly the unemployed, under employed and minority residents of the City, both in the long term and the short term.
  - 3.2 Insure that any proposed development establish goals and a specific enforceable plan by job skill category for the employment of Berkeley residents, minorities and women in the hiring of the construction work force.
  - 3.3 Insure that any proposed project provide job opportunities after construction for the unemployed and underemployed residents of Berkeley, including entry level and other levels of training, and that jobs provide for upward mobility to the greatest extent feasible.
  - 3.4 Insure that proposed development commits financial and/or technical assistance for training programs necessary to prepare Berkeley residents for employment opportunities generated by the development with special emphasis on disadvantaged residents.
  - 3.5 Insure that the developer commit to coordinating certain employment opportunities with the City of Berkeley.

#### PHYSICAL GOALS

- 1.0 TO GUARANTEE THAT USE OF THE WATERFRONT PROTECTS, COMPLEMENTS, AND ENHANCES ITS UNIQUE LOCATION AND ENVIRONMENTAL CHARACTERISTICS.





- 1.1 Preserve and restore environmentally sensitive areas of the waterfront, including restoration of the beach and creeks.
- 1.2 Identify areas which require special management because of hazards such as unstable soil or flooding.
- 1.3 Preserve and enhance air and water quality in the area.
- 1.4 Prohibit net fill of the Bay.
- 2.0 TO EXPRESS IN THE SCALE, DESIGN AND PHYSICAL LAYOUT OF THE WATERFRONT THE VITALITY AND DIVERSITY OF BERKELEY, ITS LIFESTYLES, ITS SOCIAL VALUES, ITS HISTORY AND ITS ROLE IN THE SAN FRANCISCO BAY REGION.
  - 2.1 Develop a comprehensive design framework which complements the unique waterfront setting, gives identity and orientation to the waterfront, organizes its diverse elements, encourages innovation and is visually interesting and attractive both within itself and as viewed from a distance.
  - 2.2 Insure that any proposed development includes creative shoreline design, varying elevations of terrain and the retention of a maximum amount of Bayfront for public access.
  - 2.3 Insure that designs express the location, history and culture of Berkeley.
  - 2.4 Protect and enhance view corridors and vistas from the Waterfront both toward the Bay and the Berkeley Hills.
  - 2.5 Promote water and energy conservation in the design of structures and landscaping.
  - 2.6 Use natural screening to buffer the impacts of the freeway, major arterials and parking facilities from outdoor areas for recreation and pedestrian and bicycle circulation.
  - 2.7 Use building in the North Basin area to buffer the shoreline from the freeway.
- 3.0 TO ESTABLISH SAFE AND CONVENIENT ACCESS TO THE WATERFRONT, AS WELL AS AN INTERNAL CIRCULATION SYSTEM THAT MAXIMIZES PEDESTRIAN AND BICYCLE USES.
  - 3.1 Increase access for pedestrians and bicyclists to the Waterfront.
  - 3.2 Minimize dependence on the automobile by users, employees and residents through expanded transit and paratransit service incentives to use alternate transportation, bicycle and pedestrian facilities.
  - 3.3 Improve accessibility (including pedestrian and bicycle access) to the Waterfront from the West Berkeley community and Aquatic Park immediately east of the freeway.
  - 3.4 Insure that overpass capacity, freeway design and traffic central plans are consistent with City wide plans.
  - 3.5 Provide a safe and separate system of pedestrian and bicycle trails on the Waterfront that link Berkeley and all areas of the Waterfront to neighboring cities.





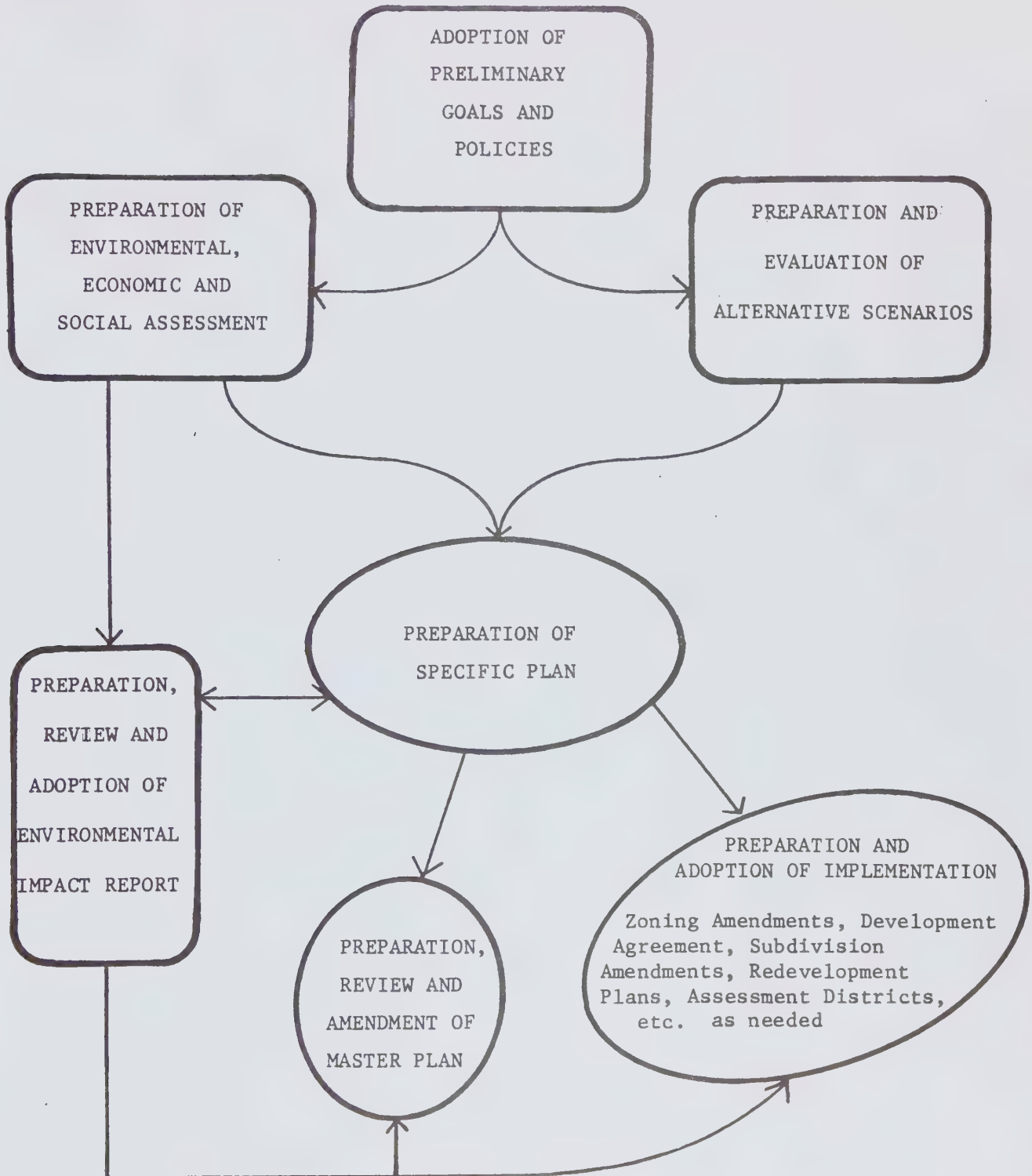
- 3.6 Minimize the amount of waterfront land devoted to roadways and auto parking.
- 3.7 Encourage walking and biking as the major means of circulation on the waterfront lands.
- 3.8 Increase transit capacity to meet increased demand generated by new development.

#### ADMINISTRATIVE GOALS AND POLICIES

- 1.0 TO GUARANTEE ON-GOING LOCAL CONTROL OVER WATERFRONT ACTIVITIES.
  - 1.1 Adopt comprehensive guidelines, regulations and procedures to insure development in compliance with City policies.
  - 1.2 Utilize inter-agency contacts to insure public projects develop and operate in conformance with City policies.
  - 1.3 Carry out periodic review of waterfront policies, plans and operations to evaluate their current effectiveness and needs for modification.
  - 1.4 Prepare and adopt specific site plans for each of the public areas.
  - 1.5 Establish procedures to monitor agreements on employment, housing, transportation management and maintenance of public use areas.
- 2.0 TO DEVELOP A WATERFRONT PLAN WHICH WILL SERVE RESIDENT NEEDS AND VALUES.
  - 2.1 Include all segments of the community in the development and evaluation of plans for the waterfront.
  - 2.2 Prior to plan adoption or project approval, carry out comprehensive evaluation of environmental, economic and social impacts.
  - 2.3 Aggressively seek public and private grants and favorable financing mechanisms that will maximize public benefits from waterfront development.
  - 2.4 Explore innovative approaches including land dedications, assessment districts, public/private partnerships and development agreements that will permit timely, quality development of the waterfront.
  - 2.5 Insure that projects for the waterfront include activities which will ensure maintenance of the stock of low and moderate income housing to serve existing employment and that created by waterfront development.



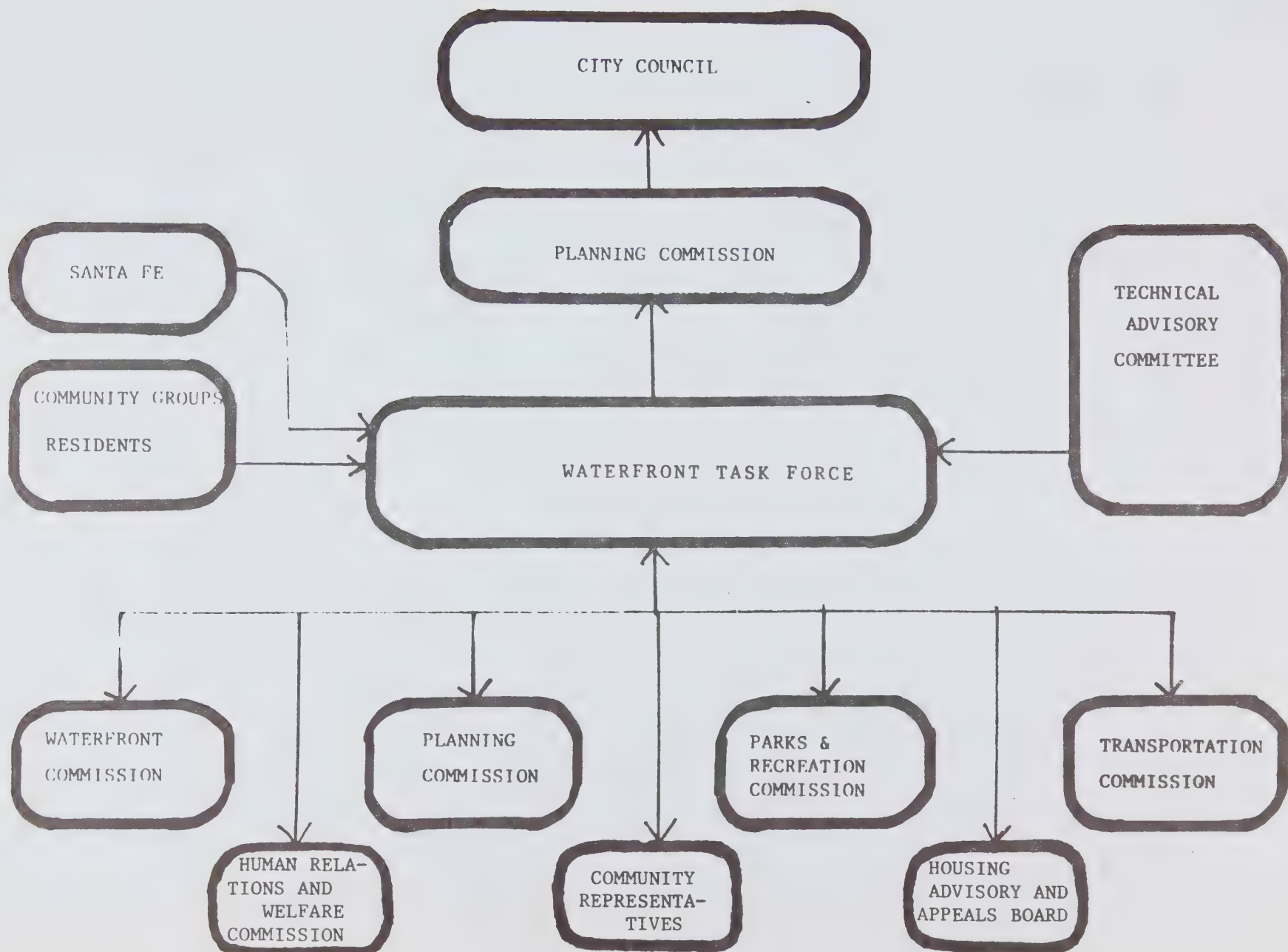
# PHASE 2 PLANNING PROCESS







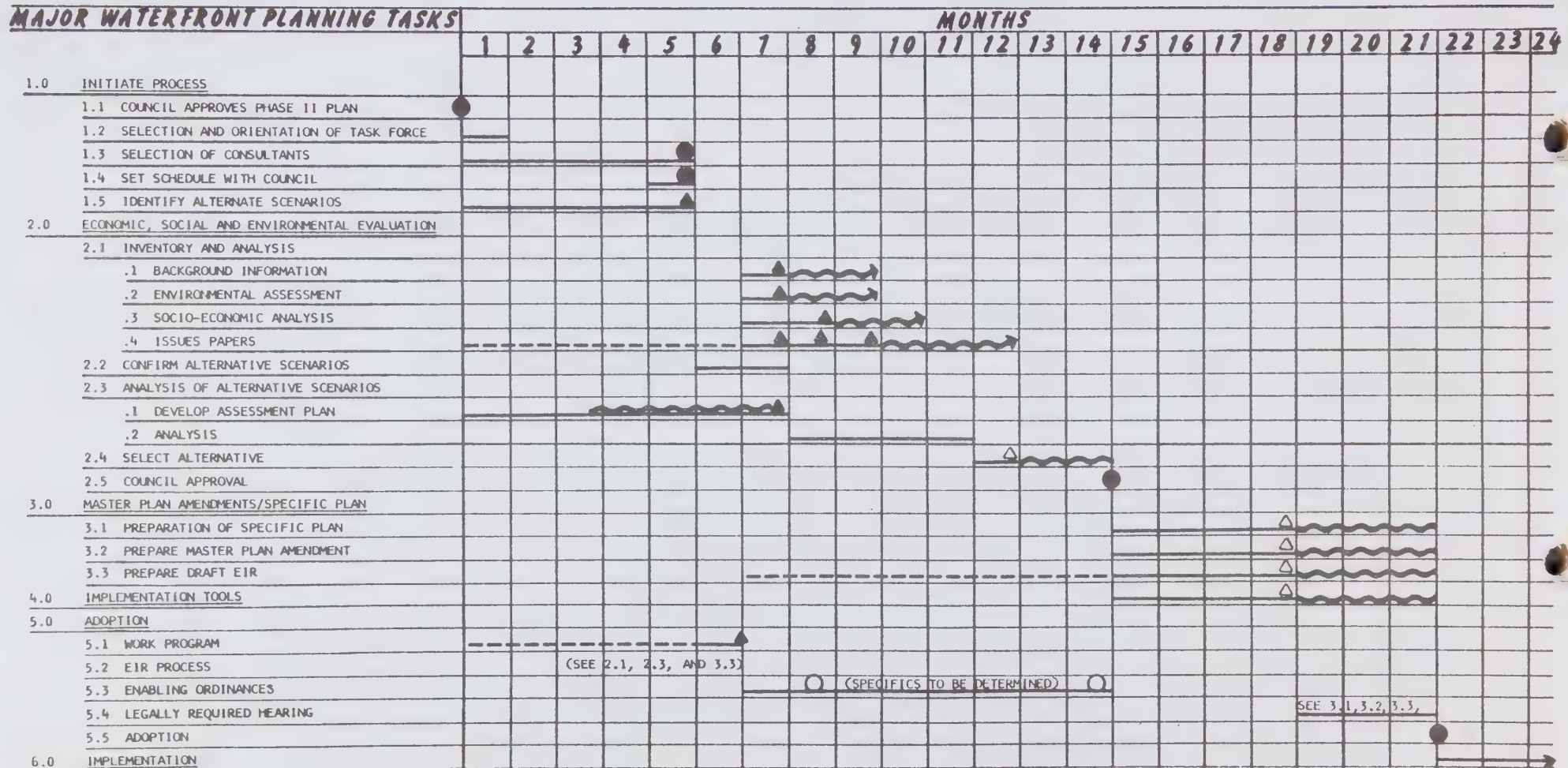
PARTICIPANTS IN PHASE 2 PLANNING PROCESS







# TASK ANALYSIS AND TIME LINE FOR CITY OF BERKELEY WATERFRONT PLANNING PROCESS





PHASE 2 PLANNING PROCESS: FUNDING ESTIMATE AND RECOMMENDED SOURCES

	Estimated Total Cost	Recommended Allocation of Costs			% of Costs by each source		
		City*	Santa Fe	Other**	City*	Santa Fe	Other**
Overall management of planning process, public participation and public information	\$100,000	\$30,000	\$70,000		30.0	70.0	
Plan and EIR Preparation including public review and response and documents required by CEQA	400,000		350,000	\$50,000		87.5	12.5
Preparation of Implementation documents: Development Agreement, Ordinance amendments, interagency contracts, etc.	75,000	25,000	50,000		33.3	66.7	
Negotiation of contracts with Santa Fe, public agencies	50,000	50,000			100		
TOTAL	\$625,000	\$105,000	\$470,000	\$50,000	16.8	75.2	8.0

\*Includes General Fund, CDBG, Marina revenues

\*\*Includes State agencies, private organizations





CITY MANAGER'S REPORT TO CITY COUNCIL:

WATERFRONT PLANNING PHASE 1 REPORT

December 1983  
City of Berkeley



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CHAPTER I: GOALS AND POLICIES





## CHAPTER I: GOALS AND POLICIES

### Introduction

In April 1983, City Council initiated Phase 1 of the Waterfront Planning process following a period of review on the City Manager's initial report on planning for the waterfront submitted on January 11, 1983. The purpose of the Phase 1 Planning process was to develop goals and land use policies to guide waterfront planning and to identify a planning process for the formulation and evaluation of a development plan for the waterfront. To accomplish this, four community workshops, two Council/Board/Commission workshops and two information sessions were held during the summer. In September, staff issued a report on these activities as well as preliminary recommendations on goals and policies and a Phase 2 Planning Process.

The September report was reviewed by the Planning commission, Waterfront Advisory Board, Parks and Recreation Commission and Transportation Commission. Each of these appointed bodies submitted their comments and recommendations on the report, the draft goals and policies and the Phase 2 Planning Process. In addition, a public workshop was held at which individuals and community organizations presented their comments and recommendations. The present report draws from the September report, as well as the comments of those who participated in the review process. This report is intended to stand by itself. However, those interested in further background on the Waterfront may refer to the September Report, which contains the major planning documents on the Waterfront to that date, as well as background on the physical characteristics of the site, and its history.

This report is divided into five chapters:

- Goals and Policies
- The Planning Process
- Participation in the Phase 2 Process
- Work Program for Phase 2 Process
- Funding the Phase 2 Process

The remainder of this Chapter is concerned with Goals and Policies. The chapter begins by identifying the major themes of the comments on the September Report and then moves to a summary of the responses of each concerned Board or Commission. Following that is an analysis by staff, and then the redrafted goals and policies.

### Major Themes in Comment on the Report

City Boards and Commissions, community groups and individuals reviewed and commented on the Phase 1 report following its publication in September, 1983. Comments ranged from an overall evaluation to very detailed recommendations about wording of individual goals and policies. The following four themes about goals and policies recurred throughout the discussion of the report.



First, most frequently mentioned during the review process was the importance of open space and the recreational use of the waterfront. Most of the reviewing groups recommended that the goals and policies emphasize the City's commitment to a shoreline park, the preservation of ecologically sensitive locations, maintenance of the open space character of the site and priority use of the site for recreational activities.

Concern was also expressed that the Phase 1 report did not accurately reflect public comment at the workshops. Most of those who commented during the review process felt that the report should have emphasized the importance of open space issues and the need for the plan to respond to the unique features of the site.

A second theme was the need for a "guiding principle" to relate all waterfront development. Many felt such a principle could unite and relate the various elements which will ultimately comprise the plan for the multiple "micro" environments that make up the site.

Some believed such a principle could provide a context within which the community could evaluate competing goals for the waterfront and find resolution. They also felt that even broad goals and policies could mandate or preclude certain types or scale of development. They should set parameters against which plan proposals could be evaluated. At the same time, others expressed the opinion that it would be inappropriate at this stage of the planning process to set priorities among goals and policies.

A third theme was that the policies should address the relationship of the waterfront to the remainder of the City and its regional role. Those commenting focused on issues including the role of the waterfront and the area immediately east of the freeway, support for activities that complement rather than compete with activities in the other areas of the City and relationships to adjacent communities.

Finally, the fourth theme brought out during the review was the need for data to support the proposed policies. Those participating in the review felt the City must have such data so the implications of adoption of goals and policies would be clear prior to their adoption. They asked for data including an environmental assessment, economic projections, needs of Berkeley residents and potential funding mechanisms for public and private development.

#### Responses of Boards and Commissions

A. The Planning Commission discussed the report at length at its October 5th and 19th meetings. A subcommittee further worked to refine its recommendations. The report of the Commission (Attachment A) details their conclusions and recommendations. With respect to goals and policies, the Commission focuses upon the need for an organizing "superstatement" around which to relate goals and policies for the waterfront. The Commission felt such a statement would put the various goals and policies in perspective. Additional Planning Commission comments on individual policies included:

- The need to strengthen policy on affirmative action and equity participation with a call for a specific and enforceable plan, including methods to target employment.





- The need for policies to address how "local control" can be maintained, especially if a state park or other facility is developed.
- The need to incorporate the concept of continuous shoreline access and beach restoration.

B. The Transportation Commission (See Attachment D ) reviewed the report at two meetings. Commissioners made a number of general and specific comments on goals and policies intended to assist the Council in making their decisions on goals and policies and planning for a unique resource such as the waterfront. These include:

- The report should include more discussion of comments presented at the workshops. Public discussion emphasized policies for the preservation of open space and the unique physical character of the area, which should be the higher primary goal. The goal of providing employment opportunities in the waterfront is a concern but one which should be addressed from a regional perspective.
- Background information is needed to enable decisions on trade-offs necessary in recommending goals and policies on the waterfront.
- The report should include a discussion of how information from the workshops was used in preparing the report and how continued public input will be utilized in the future. Clarification is needed on the role of other groups (such as the Coastal Conservancy) with proposals for the site.
- The report should discuss the waterfront from a regional perspective and its relation to the rest of the City. Planning for the waterfront should include the West Berkeley area just east of the freeway. Activities on the waterfront should be complementary to other activities throughout the City.
- The report should expand discussion of issues, goals and policies originating at the workshops. These need evaluation, identification of conflicts and methods for conflict resolution. The proposed goals are too general to guide development or assist staff in preparing an adequate specific plan and more potential land uses should be considered.

C. The Waterfront Advisory Board (See Attachment B ) found the goals generally appropriate but noted that their organization and structure needs revision. Overall, they recommended that goals and policies include priorities among uses, an overall direction for the waterfront, and comprehensive recreation and open space policies. They also recommended specific changes including:

- An overall statement about the values of the waterfront setting and the general orientation of City policy to those values.
- Reaffirmation of the City's longstanding Master Plan goal to "develop an unbroken stretch of open space" along the shoreline.
- Inclusion of large areas of recreational open space as part of any specific plan for the waterfront.



- Maximum public access to the entire shoreline and recreational use as a major priority.
  - Strong support for the creation of an East Bay Shoreline Park.
  - Deletion of the part of the economic goal that calls for contribution to the net income stream to the City "to the maximum extent feasible".
  - Policy that commercial development on the waterfront be consistent with the overall economic well-being of Berkeley's downtown and other existing commercial areas of the City.
- D. The Parks and Recreation Commission discussed the report at their October 17th meeting. Two reports are submitted (See Attachment C ). One provides ideas for possible and desirable recreation at the waterfront. These range from structured active team sports to solitary and passive activities as well as a Tivoli Gardens concept which combines recreation, cultural and education facilities and food services. With respect to the City report, the Commission felt that it needed a focus and substantive guidelines. The Commission stated: "We would like to make the strongest recommendation we can, that the guiding principle be that any development of any nature be for public use, or directly benefit the public." The Commission report recommended adoption of the draft goals be deferred until a number of their concerns are addressed and incorporated. These include:
- Recreation and open space policy statements.
  - Priorities among uses.
  - Availability of State Park monies and the cut-off date for that money of June 30, 1983.
  - Information on Acquisition options and legal options.
  - Economic and environmental data.
- E. Community Workshop
- Twenty individuals and representatives of organizations commented on the report at a community workshop October 20, 1983. Members of the Waterfront Advisory Board, Parks and Recreation Commission and Transportation Commission reported on the response of their respective Commission meetings. A summary of their oral comments and the written comments of Francis Violich, the Sierra Club East Bay Shoreline Park Task Force, the Waterfront Subcommittee of the Berkeley Design Advocates and the Berkeley Chamber of Commerce are contained in Attachment B. Issues raised at this meeting that were not emphasized in previous comments include:
- Information on what Santa Fe wants is needed.
  - Planning needs to emphasize relationships: natural, social and economic.
  - Minority equity participation is essential at every stage: planning, development and operation.



- There is a need to prepare alternative development scenarios to give focus to public participation in Phase 2.
- Concern was expressed about the timing and the forum for Santa Fe presentation.
- The importance of waterfront revenues to meet needs of South Berkeley and prevent further loss of black population was emphasized.
- It was noted that economic development can occur within concept of parks and open space preservation.
- There is a need for the City to address issues of heights and views.
- The gentrification effects of intensive development on West Berkeley should be addressed.

### Staff Analysis

If Berkeley is to maintain the initiative in designing the future use of its waterfront and to take advantage of current interest by both the State of California and the property owner of the private lands on the site, preliminary policies and plans are essential as soon as possible to guide staff work on Phase 2 plan development. Adopted goals and policies can serve as benchmarks against which alternative scenarios can be prepared and evaluated. They can be used to guide the collection of information and to identify tradeoffs of different development scenarios during the Phase 2 process. They can be refined and adjusted.

It should be noted that important information is not yet available to support detailed policies (particularly those with significant environmental or economic implications), and consensus on the appropriate scale of development must still be achieved.

The revised draft Goals and Policies developed respond to many of the major themes and specific recommendations discussed during the review period. It should also be noted that although the goals have been revised considerably since the September Report, that many of the concerns raised during the review process cannot be addressed until further analysis is done. Since the Phase I process was essentially an "opinion gathering" process, the goals and policies are targeted for revision again during the Phase 2 planning process. Despite the limitations of the process which generated them, it is recommended that they be adopted by the Council as preliminary goals and policies since they can be used to focus subsequent planning efforts. In addition, they will serve as a tangible benchmark reflecting progress on developing the Waterfront plan.

The significant areas of change from the September Report include additions or revisions which:

- Strengthen policies on enforceable plans for equity participation and targeted employment.
- Provide inclusion of the waterfront policies contained in the 1977 master plan.
- Preface the goals and policies with an introductory statement on the significance of the waterfront.





- Reorder the goals and policies to emphasize social needs and environmental conditions.
- Identify the regional role of the waterfront for recreation.
- Relate the waterfront to the remainder of the City.
- Clarify language and intent.

Recommendation

The following draft goals and policies are recommended for review at the December 8 public hearing and adoption by the City Council based upon testimony received.



## PRELIMINARY GOALS AND POLICIES

Berkeley residents share a common interest in the waterfront which requires a nurturing and enduring protection of this distinct and valuable natural resource. The area's delicate ecosystem, unique opportunities for bayfront dependent and bayfront-related activities and social and cultural needs of the people of the City require the land to be used with careful balance. As the last large undeveloped land area in Berkeley, the waterfront also represents an important economic resource that can provide for the well-being of all the City's people.

To protect, maintain and enhance the quality of the bayfront environment and to assure that balanced utilization and conservation of waterfront resources meet the public interest, the following goals and policies are adopted. Goals are presented in capital letters; policies which derive from each goal follow.

### SOCIAL GOALS AND POLICIES

- 1.0 PROVIDE ACTIVITIES ON THE WATERFRONT WHICH REFLECT THE VALUES, INTERESTS AND UNIQUE CHARACTER OF BERKELEY'S POPULATION AND ARE AVAILABLE TO ALL ECONOMIC AND ETHNIC GROUPS REGARDLESS OF AGE, SEX, RACE AND PHYSICAL ABILITIES.
  - 1.1 Encourage a mix of recreational, commercial and possibly residential uses which serve Berkeley residents of all economic and social/cultural backgrounds.
  - 1.2 Insure through controls on scale and design that new waterfront development maintain and enhance the urban village character of Berkeley.
  - 1.3 Require that all uses of the waterfront open to the general public, be accessible to the disabled and mobility restricted, and that the number of ground floor uses open to the general public be maximized.
  - 1.4 Insure that indirect effects of waterfront development enhance the overall ethnic, cultural and economic balance of Berkeley's residential population.
- 2.0 PROVIDE A VARIETY OF RECREATIONAL AND EDUCATIONAL ACTIVITIES WHICH ARE COMPATIBLE WITH THE WATERFRONT ENVIRONMENT AND ARE CONSISTENT WITH THE OPEN CHARACTER OF THE SITE.
  - 2.1 Develop an unbroken stretch of public open space from Emeryville to Albany as part of an East Bay Shoreline Park.
  - 2.2 Enhance recreational opportunities which meet City and regional recreational needs that benefit from the site's location, its marine characteristics and its existing Bayfront development.





- 2.3 Link new public recreational uses with those at the North Waterfront Park and the Marina.
- 2.4 Develop marine educational and cultural uses for all segments of the population.
- 2.5 Devote the publicly owned land north of Spinnaker Way to public open space and recreation without significant buildings.
- 3.0 MINDFUL OF OUR REGIONAL RESPONSIBILITIES, INSURE THAT THE COST OF REGIONAL USES OF THE WATERFRONT TO BERKELEY RESIDENTS ARE OUTWEIGHED BY THE BENEFITS.
  - 3.1 Insure that waterfront development in Berkeley is cooperatively planned with our neighbors, Emeryville and Albany.
  - 3.2 Insure that waterfront development will benefit future generations as well as today's and that legitimate regional claims on uses be acknowledged and planned for.
  - 3.3 Give priority to development which produces employment and business opportunities meeting the special needs of Berkeley's un- and underemployed population, and/or revenue to the City to meet these needs.
  - 3.4 Insure that waterfront development is consistent with the designation of the downtown as the central commercial area of the City.
  - 3.5 Insure that any pressures on Berkeley roads and its housing market from waterfront development be addressed by enforceable mitigation measures.

#### ECONOMIC GOALS AND POLICIES

- 1.0 TO PROMOTE ECONOMIC DEVELOPMENT WHICH WILL ENHANCE BERKELEY'S ECONOMIC DIVERSITY AND STRENGTHEN ITS ECONOMIC BASE WHILE COMPLEMENTING BOTH THE ENVIRONMENTAL UNIQUENESS OF THE SITE AND DEVELOPMENT IN OTHER PARTS OF BERKELEY.
  - 1.1 Insure efficient coordination of public and private resources to maximize productive use of Berkeley's waterfront location.
  - 1.2 Balance uses which require City financial support with those that generate income to the City.
  - 1.3 Encourage uses which contribute to the expansion of employment opportunities for Berkeley's work force in healthy, safe and attractive environments.
  - 1.4 Encourage opportunities at the waterfront for retention, expansion and attraction of research and advanced technology industries.



- 2.0 INSURE THE PARTICIPATION OF LOCAL BUSINESSES AND MINORITY/FEMALE OWNED BUSINESSES EQUITY PARTICIPATION AT EVERY PHASE OF THE DEVELOPMENT ACTIVITY SUCH AS INVESTMENT OPPORTUNITIES, PROFESSIONAL SERVICES CONTRACTS, SUPPLY CONTRACTS, CONSTRUCTION CONTRACTS AND SUBCONTRACTORS, OCCUPYING TENANTS AND SUPPORT SERVICE CONTRACTS IN THE COMPLETED DEVELOPMENT AMONG OTHER BUSINESS OPPORTUNITIES.
  - 2.1 Insure that a specific plan is established to achieve equity participation of minority/female owned firms in the planning, design, construction and operation of waterfront projects.
  - 2.2 Insure that proposed development contain plans for financial and/or technical assistance to support programs aimed at providing technical assistance to local and minority/female owned firms.
  - 2.3 Include minority equity participation in the planning, design, construction and operation of waterfront projects.
- 3.0 TO PROMOTE ECONOMIC DEVELOPMENT WHICH WILL MAXIMIZE EMPLOYMENT OPPORTUNITIES FOR BERKELEY'S DIVERSE RESIDENTIAL POPULATION.
  - 3.1 Insure that waterfront development is compatible with the employment needs of Berkeley's diverse population particularly the unemployed, under employed and minority residents of the City, both in the long term and the short term.
  - 3.2 Insure that any proposed development establish goals and a specific enforceable plan by job skill category for the employment of Berkeley residents, minorities and women in the hiring of the construction work force.
  - 3.3 Insure that any proposed project provide job opportunities after construction for the unemployed and underemployed residents of Berkeley, including entry level and other levels of training, and that jobs provide for upward mobility to the greatest extent feasible.
  - 3.4 Insure that proposed development commits financial and/or technical assistance for training programs necessary to prepare Berkeley residents for employment opportunities generated by the development with special emphasis on disadvantaged residents.
  - 3.5 Insure that the developer commit to coordinating certain employment opportunities with the City of Berkeley.

#### PHYSICAL GOALS

- 1.0 TO GUARANTEE THAT USE OF THE WATERFRONT PROTECTS, COMPLEMENTS, AND ENHANCES ITS UNIQUE LOCATION AND ENVIRONMENTAL CHARACTERISTICS.



- 1.1 Preserve and restore environmentally sensitive areas of the waterfront, including restoration of the beach and creeks.
- 1.2 Identify areas which require special management because of hazards such as unstable soil or flooding.
- 1.3 Preserve and enhance air and water quality in the area.
- 1.4 Prohibit net fill of the Bay.
- 2.0 TO EXPRESS IN THE SCALE, DESIGN AND PHYSICAL LAYOUT OF THE WATERFRONT THE VITALITY AND DIVERSITY OF BERKELEY, ITS LIFESTYLES, ITS SOCIAL VALUES, ITS HISTORY AND ITS ROLE IN THE SAN FRANCISCO BAY REGION.
  - 2.1 Develop a comprehensive design framework which complements the unique waterfront setting, gives identity and orientation to the waterfront, organizes its diverse elements, encourages innovation and is visually interesting and attractive both within itself and as viewed from a distance.
  - 2.2 Insure that any proposed development includes creative shoreline design, varying elevations of terrain and the retention of a maximum amount of Bayfront for public access.
  - 2.3 Insure that designs express the location, history and culture of Berkeley.
  - 2.4 Protect and enhance view corridors and vistas from the Waterfront both toward the Bay and the Berkeley Hills.
  - 2.5 Promote water and energy conservation in the design of structures and landscaping.
  - 2.6 Use natural screening to buffer the impacts of the freeway, major arterials and parking facilities from outdoor areas for recreation and pedestrian and bicycle circulation.
  - 2.7 Use building in the North Basin area to buffer the shoreline from the freeway.
- 3.0 TO ESTABLISH SAFE AND CONVENIENT ACCESS TO THE WATERFRONT, AS WELL AS AN INTERNAL CIRCULATION SYSTEM THAT MAXIMIZES PEDESTRIAN AND BICYCLE USES.
  - 3.1 Increase access for pedestrians and bicyclists to the Waterfront.
  - 3.2 Minimize dependence on the automobile by users, employees and residents through expanded transit and paratransit service incentives to use alternate transportation, bicycle and pedestrian facilities.
  - 3.3 Improve accessibility (including pedestrian and bicycle access) to the Waterfront from the West Berkeley community and Aquatic Park immediately east of the freeway.
  - 3.4 Insure that overpass capacity, freeway design and traffic central plans are consistent with City wide plans.
  - 3.5 Provide a safe and separate system of pedestrian and bicycle trails on the Waterfront that link Berkeley and all areas of the Waterfront to neighboring cities.





- 3.6 Minimize the amount of waterfront land devoted to roadways and auto parking.
- 3.7 Encourage walking and biking as the major means of circulation on the waterfront lands.
- 3.8 Increase transit capacity to meet increased demand generated by new development.

#### ADMINISTRATIVE GOALS AND POLICIES

- 1.0 TO GUARANTEE ON-GOING LOCAL CONTROL OVER WATERFRONT ACTIVITIES,
  - 1.1 Adopt comprehensive guidelines, regulations and procedures to insure development in compliance with City policies.
  - 1.2 Utilize inter-agency contacts to insure public projects develop and operate in conformance with City policies.
  - 1.3 Carry out periodic review of waterfront policies, plans and operations to evaluate their current effectiveness and needs for modification.
  - 1.4 Prepare and adopt specific site plans for each of the public areas.
  - 1.5 Establish procedures to monitor agreements on employment, housing, transportation management and maintenance of public use areas.
- 2.0 TO DEVELOP A WATERFRONT PLAN WHICH WILL SERVE RESIDENT NEEDS AND VALUES.
  - 2.1 Include all segments of the community in the development and evaluation of plans for the waterfront.
  - 2.2 Prior to plan adoption or project approval, carry out comprehensive evaluation of environmental, economic and social impacts.
  - 2.3 Aggressively seek public and private grants and favorable financing mechanisms that will maximize public benefits from waterfront development.
  - 2.4 Explore innovative approaches including land dedications, assessment districts, public/private partnerships and development agreements that will permit timely, quality development of the waterfront.
  - 2.5 Insure that projects for the waterfront include activities which will ensure maintenance of the stock of low and moderate income housing to serve existing employment and that created by waterfront development.



## CHAPTER II - PHASE 2 PLANNING PROCESS



## CHAPTER II: PHASE 2 PLANNING PROCESS

### Introduction

Since the City Manager's initial report to City Council in January, 1983, there has been substantial public debate about the waterfront planning process: that is, the process to be used by the City for soliciting community views, collecting information, visualizing alternatives, and weighing trade-offs that will lead the City Council to its decisions on the future of the waterfront. The subject was first considered in the spring by the Planning Commission, Parks and Recreation Commission and Waterfront Advisory Board. Based on the recommendations of these bodies, the City Council initiated the Phase 1 Planning Process to develop goals and land use policies to guide waterfront development planning, to identify specific uses to consider in preparing alternative development scenarios, to suggest a method for formulating and evaluating a development plan, and to propose a timetable for the Phase 2 Planning Process.

This Chapter of the City Manager's Report analyzes and proposes elements of a process to prepare, evaluate and adopt a development plan. This chapter first discusses the background and criteria used to guide the discussion of the Phase 2 process. It outlines the major themes of the reactions of Board and Commission to the Phase I Draft Report. This chapter summarizes the specific comments and recommendations from Boards, Commission, community organizations and individuals. Finally, this Chapter analyzes the alternatives and issues to be considered in selecting a process and recommends a planning process to be used for Phase 2.

### Background and Purpose

As outlined in the original mandate of Council in April when it set up the Phase I process, staff was to set up a Phase 2 Planning Process that would provide for the zoning of the waterfront. Staff interpreted this to issue setting up a process that would result in an amendment of the Master Plan to include comprehensive goals and policies for use and development of the waterfront; land use plans, standards, regulatory mechanisms, financing strategies, and review procedures to manage implementation of approved plans; and the completion of environmental evaluation and inclusion of appropriate mitigation measures in adopted plans. In developing and analyzing alternative planning processes staff considered:

- Potential to achieve the results described above;
- Relative cost and time requirements;





- Opportunities for timely involvement of all affected parties (Santa Fe, residents, community organizations, and other public agencies and City government); and
- Maintenance of local control.

The Phase I Draft Report first reviewed the three planning process options presented in the City Manager's January 11 report. The first two, submission of an application under the current Master Plan and "Unclassified" Zoning District procedures and a Collaborative Planning Process leading to a development agreement, were not recommended because they did not include amendment of the Master Plan, which staff believes is essential to guide and give legitimacy to plans developed. The third option, amendment of the Master Plan followed by amendment of the Zoning Ordinance was rejected for two reasons; the process would be lengthy and the Zoning Ordinance alone does not provide the flexibility for innovative approaches to design and implementation that this site requires if its potential for achieving public goals is to be realized.

The Phase I report then described three additional options, all of which include amendment of the Master Plan and Zoning Ordinance, preparation of a Specific Plan, and preparation and review of an Environmental Impact Report. Other features of the latter three options included negotiation of a development agreement, submission of a zoning application with public hearing, and a referendum on the final plan. In some options, steps are carried out sequentially, in others concurrently. The report deferred choosing between options four, five and six until public comments could be considered.

#### Major Themes in Comment on the Report

Public comments on the process options reflected close and informed scrutiny. A common focus was the need for the City to "get on" with definitive and implementable plans for the waterfront. As with the goals and policies, comments ranged from the specific items necessary in a final plan to general concern about the importance of an open process. Five themes recurred most often.

Importance of Master Plan Amendment: First, there was general agreement on the importance of a Master Plan Amendment to provide the policy benchmarks for any proposed waterfront development. Opinion on how this could best be accomplished varied: some favored preparation of a Master Plan Amendment first; others recommended its development after a Specific Plan was completed; others would incorporate a Specific Plan "in toto" as a Master Plan Amendment to amend the Master Plan. Many urged that the first step be the adoption of goals and policies, followed by the preparation of alternative development scenarios. In urging this, individuals and organizations pointed out that such scenarios



would: Permit the community to see the implications of abstract policies and evaluate the success of various options in achieving adopted goals. They would also provide enough specifics to compare environmental impacts. Finally, the use of alternative scenarios would provide information necessary for measuring the feasibility for implementation and the type of mechanisms that implementation would necessitate.

Zoning Ordinance Not Appropriate: A second area of agreement was that more than a Zoning Ordinance amendment is needed to achieve the creative and diverse designs appropriate to this unique site. Most of those participating in the review process supported the preparation of a Specific Plan for the waterfront instead of a Zoning Ordinance. In addition to land use, scale and parking requirements, such a plan could mandate design standards, construction of public facilities, innovative and site-specific mixed land uses, dedication of open space, and assessment mechanisms considered included development agreements, inter-agency contracts, public/private partnerships and transfer of development rights.

EIR Process to Begin Immediately: A third theme was that the environmental review process should begin now and be used to guide the planning process. While Environmental Impact Reports and the associated research are traditionally undertaken when a plan is completed, during the review of the Phase I Draft Report, many recommended that the process begin immediately. They commented that information on existing conditions such as traffic and access, soils, view corridors, air and water quality and public services and needs for employment, recreation and access could be used to guide the development of alternative plans as well as to measure the impact of their implementation.

Open Participation by All Parties: A fourth theme was the need for ways the community, Santa Fe, other public agencies such as the Costal Conservancy and the City can participate in the process. Many who spoke emphasized the importance of an open process that permits all interested individuals and groups to be informed and to have their views considered at the appropriate points in the planning process. They further stressed the necessity of involvement from those organizations that will carry out or finance projects, especially public projects.

Mixed Opinions on Use of Development Agreement: The fifth major item of discussion was the use of a Development Agreement that would guarantee to Santa Fe the right to carry out an adopted plan over perhaps ten to twenty years similar to discussion during the Spring of 1983. Most who commented rejected such agreements as the primary planning tool. Instead they recommended its use to implement a Specific Plan or proposal. Some suggested that a decision on the need for and content of a Development Agreement to be deferred until a Specific Plan is complete, instead of structuring a development agreement as an integral step in the process. Others saw no problem with concurrent preparation of a Specific Plan and a Development Agreement.



## Responses of Boards and Commissions

- A. The Planning Commission (See Attachment A) recommended a planning process which included a Specific Plan, Master Plan Amendment and a Development Agreement. Specifically they recommended that:
- Methods for citizen and developer involvement should be part of the planning process from the first step.
  - The Planning Commission should play a major role in monitoring the Phase 2 process.
  - The Phase 2 process should use the following planning sequence:  
(1) preparation of a draft Specific Plan with full developer participation; (2) specific project proposals by developer; (3) preparation and action on EIR; (4) adoption of Master Plan amendment/Specific Plan/Zoning changes (if necessary); (5) negotiation/preparation of binding Development Agreement; and (6) implementation.
  - The City Manager's Report should contain information on resources required for Phase 2 planning, how it could be financed and who (City staff or consultants) would do the work.
- B. The Waterfront Advisory Board (see Attachment B) indicated that it would support a process including a Master Plan Amendment and a Specific Plan prepared either sequentially or concurrently. Their recommendations stress that:
- The next planning step should be adoption by the City Council of a clear statement of goals and priorities.
  - Waterfront goals and priorities should be accompanied by a few broad alternative concepts for use of the waterfront and a staff recommendation from among the alternatives.
  - Preparation of the Environmental Impact Report should begin at the earliest stage in the process;
  - Any decision on the need for a negotiated Development Agreement should await resolution of the direction and content of the Specific Plan.
- C. The Parks and Recreation Commission ( See Attachment C) supported with minor modifications the recommendations on the Phase 2 Planning Process of the Waterfront Advisory Board. In addition, the Commission emphasized the need for exploration in Phase 2 of:





- Public acquisition options for the waterfront such as State Park funds, land trusts and bonds;
- Legal options such as zoning for open space and recreation;
- Timely preparation of economic and environmental data.

D. The Transportation Commission (see Attachment D) recommended that the Phase 2 Planning Process begin with the preparation of a Specific Plan from which Master Plan and Zoning Amendments would follow as needed. They recommended that a Development Agreement be included as an implementation step if appropriate after the direction and content of the Specific Plan was determined. They also recommended that the following elements be part of any process selected:

- Consideration of a wide range of alternatives;
- Public involvement, so even people who do not agree with every choice made will feel that the process is legal and fair;
- Early evaluation of social, economic, environmental, financial and administrative impacts of alternative scenarios--the formal EIR would be based on the impact studies, not begin them;
- An explicit program of activities designed to assure the adopted plan is carried out;
- A staffing plan to carry out the planning process, including a funding strategy such as soliciting contributions from Santa Fe and others who have an interest in expeditious, high quality planning;
- A preliminary work program to show how the above components will be accomplished to give Commissions, the general public, affected interests and Council a chance to comment and make revisions before the work program is finalized.

E. Community Workshop. Individuals and representatives of organizations reiterated many of the concerns raised by the Boards and Commissions. (Attachment E summarizes the oral comments and includes the written comments submitted.) Several speakers emphasized the need for Berkeley to take the initiative to permit a land value to be established upon which to base appropriate State Park purchases, to capitalize on the opportunities the area contains, to minimize the long terms costs through use of currently available grants and favorable financing and to avoid operating in a reactive posture. Most of those commenting favored a Specific Plan process but several felt a Master Plan Amendment process should precede Specific Plan preparation. Other comments and concerns about process were:



- There is a need to indicate how issues, goals and policies are to be used in the planning process.
- A negotiated process that includes the City, the developer and community interests is essential, so the final product will be acceptable and implementable.
- Minority equity participation at every state is important; citizens must be included who have previously been excluded.
- Comprehensive information on the legal status of open space zoning is needed.

### Staff Analysis

Discussion during the review of the Phase 1 Draft Report was successful in expanding the understanding of the planning mechanisms that could be involved: policy statements, Master Plan amendment, environmental impact reports, Specific Plans, Zoning Amendments and development agreements. The six options described in the Phase 1 Report were put forth for discussion purposes in a very conceptual form. Options were not fully developed to include discussion of specific work elements, involvement by affected parties, resources required to carry out the process and methods for financing the planning process. In addition, only very rough estimates of the time required to complete each option were made. Based upon the responses to the Draft Report and further work by staff, it is now possible to recommend a Phase 2 Planning Process and describe how it can be carried out and financed. The following describes in greater detail the issues which influenced selection of a recommended process.

### Issues

There are six issues that were raised by a broad spectrum of individuals and groups which staff took as guiding principles in selecting a Phase 2 Planning Process. The first is the need for clear goals and policies that will set the boundaries (or framework) for use of the waterfront and establish the social values against which alternatives can be measured. Information is incomplete in many areas so the goals and policies remain by necessity general and subject to revision and refinement as the planning process proceeds. During Phase 2, staff will furnish information on environmental constraints; economic and social implications; opportunities for state financial assistance; and innovative strategies for public/private cooperation. This data can be used to refine the goals and policies. However, even in rough form, they are essential to staff to guide preparation of a Specific Plan that will be feasible and implementable.



The second issue is the immediate initiation of the environmental assessment process. This process will generate data on social and economic needs as well as on the physical characteristics of the site. Accumulation of these base line data will serve two purposes. The data will function, in concert with the adopted goals and policies, to identify what is feasible as well as what is appropriate on the waterfront. They will also provide the base from which to measure impacts of alternative uses and the effect of potential mitigation measures where adverse impacts may be significant.

The third issue is the importance of alternative scenarios for waterfront development. The community must be able to understand the implications of policy options. This can be done most effectively by looking at potential development scenarios that give form and substance to abstract concepts. The interest and response generated by the Costal Conservancy design charette and the Santa Fe presentation on its proposal underscores the impact of concrete suggestions. The City's workshops which challenged participants to prepare land use plans stimulated intense discussion and heightened awareness of the opportunities the site offers and the complexity of maximizing and coordinating those opportunities into a unified plan.

The fourth issue that was raised concerned the relationship of the owner of the privately owned waterfront lands to the planning process. Although there was not clear consensus on what the exact relationship of the City should be with respect to the six different options outlined, the range of opinions did not preclude active involvement at some point in the process. Some groups felt that the City's Plan should be firmly in place before coordinating with the owner, while others indicated that involvement with the owner should take place from the beginning of the planning process. City staff here sought to combine involvement of the owner in a planning process that would safeguard the City's interest while reaping the benefit of interaction with the owner of the private lands.

Santa Fe has stressed its preference for a Development Agreement that will guarantee its right to carry out development over a number of years; this concern is premised on initial dedication of land for public use. A Development Agreement appears to be an effective method for achieving both the public and private purposes but no decision on that preliminary judgement is required to move ahead on the planning process.

The Legal Department reviewed use of a Council-sponsored ballot measure to provide final approval or disapproval of a Development Agreement between the City and Santa Fe. Under the City Charter and state statutes, the Legal Department identified the following options:





- The City Council may place a Development Agreement Ordinance on the ballot for adoption by the people instead of by the legislative body. If approved adoption would be binding; if disapproved, the City Council would still be able to pass the Agreement Ordinance by a majority vote.
- The City Council could submit a proposed Development Agreement Ordinance to the community for an advisory vote. Following this vote, the City Council could approve or disapprove the proposed Ordinance.
- The people could approve or disapprove a Development Agreement if a petition for referendum signed by the prescribed number of voters is submitted within 30 days following second reading of a Development Agreement Ordinance passed by the City Council.

The same options apply to Ordinances which amend the Master Plan, adopt a Specific Plan, amend the Zoning Ordinance or enact other regulatory or policy-making Ordinances.

#### Proposed Process

Based upon the analysis of options contained in the Phase I Report and consideration of the issues discussed above, staff proposes a planning process for Phase 2 that would begin with the adoption of preliminary goals and policies by the City Council - either those recommended in this report or an amended set responsive to issues raised at the December 8th public hearing.

Following this step, two concurrent actions would begin. One would be the initial environmental, social and economic assessment to provide the baseline for measuring impacts of various alternatives. Preparation of an Environmental Impact Report and review and action on that report would be carried on continuously as a complement to the substantive plan development process.

The other would be the preparation of alternative development scenarios. These could include those of the Coastal Conservancy and Santa Fe and be expanded to include other concepts for public review and comparison. Once several development scenarios were fully described, a detailed cost benefit analysis including social, economic, fiscal, environmental impacts among others, would be prepared. This analysis would provide the necessary information to negotiate with Santa Fe since it would quantify the specific tradeoffs involved in different land use decisions. From this process, one scenario, or a hybrid, would be selected for translation into a Specific Plan.

The development of a Specific Plan could produce significant modifications (and potentially even reconsideration of rejected scenarios or development of entirely new ones). Based upon information developed on the impacts and feasibility of concepts, refined plans for land use, scale and design, access and circulation, preservation and public use dedications



and implementation strategies will be prepared with on-going public and developer participation. The objective is a Specific Plan that is understood, endorsed and realistic to achieve.

Following preparation of the Plan, a Master Plan amendment, comprised of the Specific Plan itself and/or amendments which contain the goals, policies and substantive elements of the Specific Plan will be prepared for the City Council to act upon. Because the Master Plan amendment, as well as implementing actions, will be consistent with the adopted Specific Plan, the Environmental Impact Report prepared for that document can be used to meet environmental review requirements for these other actions.

Concurrent with Master Plan amendment, work will go forward on those implementing actions which will most effectively and expeditiously implement the Specific Plan. As noted, these may include, but certainly not be limited to, amendment of the Zoning Ordinance, negotiation of a Development Agreement and/or initiation of the redevelopment process. This will include the full participation of the developer.

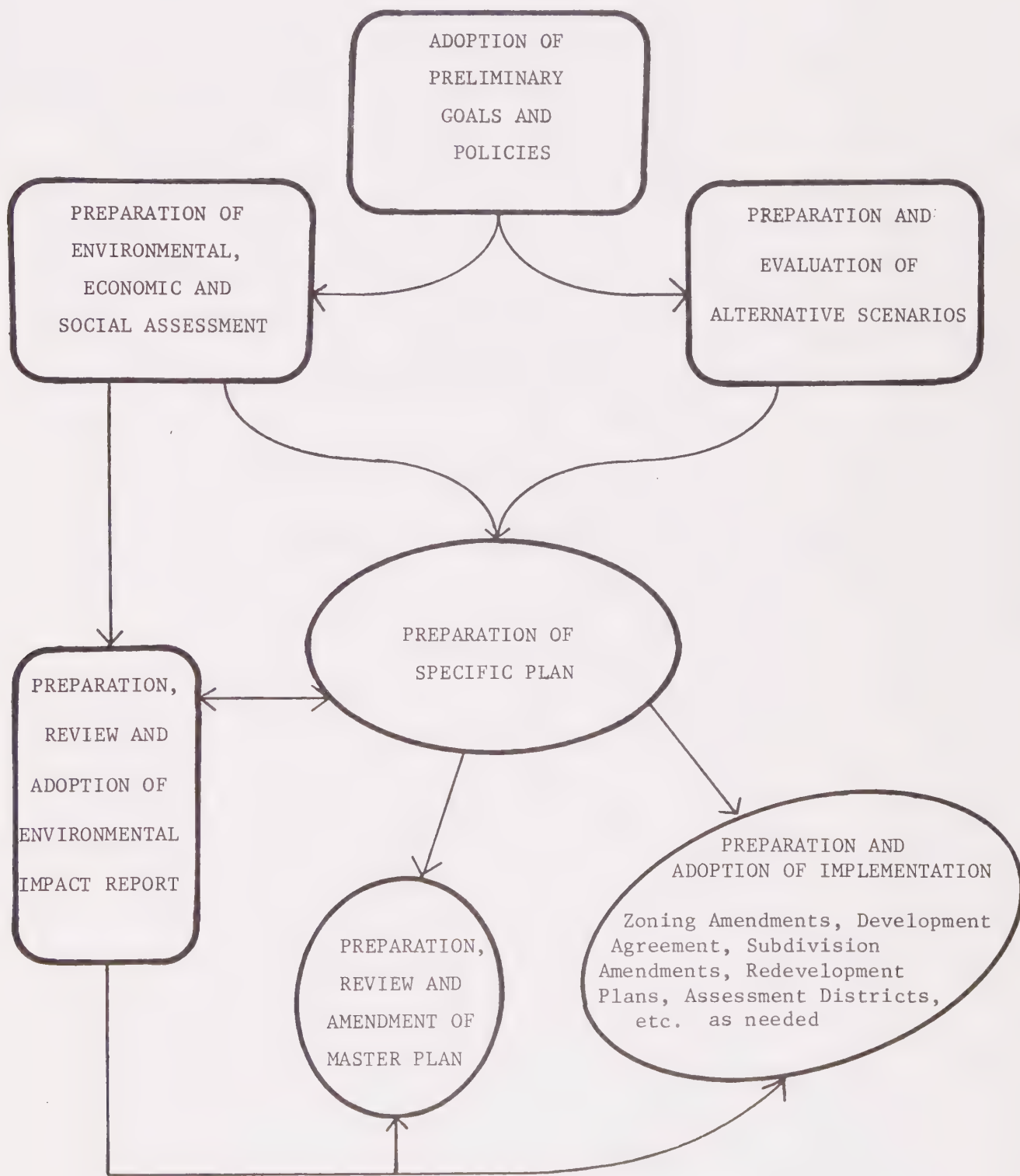
The graphic on the following page depicts the elements in the recommended process. The next three Chapters of this report will detail how this process can be carried out and financed.

#### Recommendation

That the Phase 2 Planning Process proposed for review at the December 8th public hearing be adopted by the City Council subject to testimony received.



# PHASE 2 PLANNING PROCESS







CHAPTER III: PARTICIPATION IN THE PHASE II PLANNING PROCESS



### CHAPTER III: PARTICIPATION IN THE PHASE II PLANNING PROCESS

#### Introduction

The intent of the Phase 1 Planning Process was to obtain a community identification of issues, goals and policies and to develop proposals for the Phase 2 Waterfront Planning Process. For these purposes, five community workshops, two informational meetings and two Council/Board/Commission workshops were held. In addition, four Boards and Commissions reviewed and commented in detail on the Phase I report and its recommendations prior to the City Council public hearing.

Phase 2 will, perforce, involve more technical work than Phase 1 but not at the expense of on-going public participation in the planning process. This participation is needed to:

- ensure public awareness of activities being carried out by the City, other public agencies, Santa Fe and others concerned with the waterfront;
- obtain public reaction to potential policies and plans for the waterfront in a timely way that will permit maximum accommodation of opportunities, values and needs in whatever proposals are developed: and
- produce broad based understanding of and support for plan and implementation proposals to be acted upon by the City Council.

#### Roles of Major Actors

A variety of participants are needed to achieve a successful and open Phase 2 Planning process. The following proposes the development of a special Waterfront Planning Task Force, and identifies the roles and responsibilities of other major actors in the process.

The City Council as the City's final decision making body is key to moving the process forward, setting its direction and acting as final arbiter on the policies, plans and implementation programs for the waterfront. Its choices will determine the form of Berkeley's waterfront for generations to come.

The Planning Commission's responsibility is to prepare and recommend for adoption a "comprehensive plan for the most economic, healthful and harmonious growth of the City." In this capacity, the Commission must hold public hearings, review and make recommendations to the City Council on plans and environmental evaluations. The Planning Commission will consider the proposals developed in Phase II in the context of the social and economic well being of the City, consistent with adopted policies and Berkeley's role in the region.



It is proposed that the primary advisory body in the Phase 2 planning process be a Waterfront Task Force set up to manage the waterfront planning process. Specifically, its charge would be to:

- Prepare and recommend for review by the Planning Commission and approval by the City Council: (a) a Specific Plan for the waterfront; (b) Master Plan amendments incorporating substantive components of the Specific Plan; (c) an Environmental Impact Report which adequately identifies the impacts of the Specific Plan and potential mitigation measures; and (d) ordinances and other actions required to implement the Specific Plan which may include, but are not limited to, zoning amendments, subdivision amendments, assessment districts, and Development Agreements.
- Provide ongoing linkages to City Commissions, other public agencies Santa Fe and the public.
- Facilitate public information and participation activities that ensure an open Phase 2 planning process that includes all affected and interested organizations and individuals.

Communications would be fostered through the make-up of the Task Force. The recommended composition is:

- 2 members of the City Council
- 2 members of the Planning Commission
- 1 member of the Waterfront Commission
- 1 member of the Transportation Commission
- 1 member of the Parks and Recreation Commission
- 1 member of the Human Relations and Welfare Commission
- 1 member of the Housing Advisory and Appeals Board
- 2 Community Representatives

To meet the requirements of the Fair Representation Ordinance, each City Council member would make one appointment to the Task Force. The two Council members selected by the Council as a whole would act as a subcommittee to coordinate appointments so that the resulting Task Force:

- Has one appointee by each Council Member (including the two Council members on the Task Force)
- Has representation as described above from City Commissions and the Community
- Includes balanced representation of Berkeley's racial, ethnic and geographic interests

The Task Force will be responsible for management of the Phase 2 planning process. It will be responsible to:

- Oversee staff and consultant work in development of waterfront plans, environmental evaluations, and implementing procedures.
- Periodically report to the Planning Commission and City Council on the progress of the planning process.
- Maintain continuous liaison with involved Commissions and City Council.



- Carry out a program of informational meetings, workshops and public hearings on proposals for the waterfront as they develop to provide a vehicle for comments and recommendations from City Commissions, community organizations, residents and other interested groups and individuals.
- Work with Santa Fe and other local, regional and state agencies to insure that proposals incorporate issues and opportunities affecting their potential realization.

The Task Force will be dissolved when its proposals are transmitted to the Planning Commission. Implementing responsibilities could then be assigned to appropriate advisory bodies to review and monitor.

To facilitate communication and timely identification of issues, a Technical Advisory Committee will be organized. A large number of City Departments and regional and state agencies have responsibilities that involve the Berkeley waterfront. Within the City, involved departments include Planning and Community Development (Planning, Economic Development and Zoning), Public Works, Health and Human Services, Finance, Legal, Public Safety and the City Manager's Office. Regionally, adjacent cities (Emeryville and Albany), the Bay Conservation and Development Commission, the East Bay Regional Park District, Association of Bay Area Governments, Metropolitan Transportation Commission and Alameda County are affected. AC Transit would also be contacted as part of this committee. At the state level, CalTrans, the Coastal Conservancy and Department of Parks and Recreation are currently planning and funding projects for the East Shore waterfront.

This group would be organized and coordinated by the Planning and Community Development Department and meet as needed. As planning progresses from more general concepts to detailed proposals, the importance of this group would increase.

As the only private property holder on the site and as the potential developer, Santa Fe will be involved at each step of the process. Its planning studies will be evaluated and utilized to expedite and reduce the cost of the Phase 2 Planning Process. Staff will work with Santa Fe to identify issues and include their perspectives as proposals at conceptual and specific levels are prepared. In this way information on concerns and suggestions of Santa Fe and how they can be handled will be available to the Waterfront Task Force at each step of the process. More detail about the relationship of Santa Fe to the process is laid out in Chapter IV, which lays out a work program for the process.

Overseeing the entire process and its participants will be Berkeley community organizations and citizens. A variety of mechanisms noted below will be used to keep promote two way communications between these interests and the Waterfront Planning Task Force and its advisory bodies. Historically, leadership in waterfront planning has come from these informed and dedicated groups and individuals. The anticipation is that their vision, expertise and sensitivity to community values will continue to demand and make possible a plan for the waterfront worthy of the site and the City.

Staff and consultant services will provide the technical service required and manage the complex elements of the Phase 2 Planning Process. A detailed description of the resources required and their employment in the Phase 2 Planning Process are described in Chapter IV of this report.





### Mechanisms to Facilitate Participation

To plan and implement waterfront development represents a project second only to the planning for BART in the 1960's in its complexity and implications for Berkeley. As the process is carried out adaptations and additions to the mechanisms described below will be developed to meet needs that arise. The following mechanisms are presented to suggest approaches that are planned in conjunction with the detailed work program contained in the following section.

Publications of Reports: Reports will be prepared for a variety of audiences. That is, comprehensive reports containing all technical data upon which conclusions are based will be available for purchase through the Planning and Community Development Department as well as at reference rooms of the library. In addition, low cost or free summaries will be made available for broader distribution.

Notices and Newsletters: The Planning and Community Development Department already has mailing list of over 600 individuals and organizations that receive information on publication of reports, upcoming meetings and workshops and projected waterfront planning schedules of meetings. Any individual or group can request addition of their name to this list. In addition to the notices now mailed out, the Phase 2 Planning Process will include a periodic newsletter which, in addition to notices, will contain summaries of reports and results of meetings.

Community Workshops and Public Hearings: These will be held at key points in the Phase 2 Planning Process to obtain response and suggestions for the public on work underway. To the maximum extent possible, these will be organized to promote discussion and the exploration of ideas rather than being limited to presentation of individual points of view.

Informational Presentations: Many times reports are difficult for individuals to absorb and respond to effectively. To supplement reports, presentations which bring together graphic and slide presentations, commentary and opportunities for questions and answer periods will be used to increase understanding of elements of the Planning Process.

Liaison Activities: As described in the previous section, many groups are involved in the Phase 2 Planning Process. The first level of liaison is the make-up of the Waterfront Task Force which includes members from the City Commissions. As needed, liaison between the Technical Advisory Committee, Santa Fe and Commission representatives will be established. Informal liaisons will be used to prevent gaps in the communications process and to keep the process moving.

Negotiations: At times, plan development and implementation will require detailed negotiations between Santa Fe, the City, State agencies and/or neighboring communities or regional agencies. Where negotiations are employed, their purpose, ground rules and results will be clearly described to those interested or responsible for plan adoption or implementation.



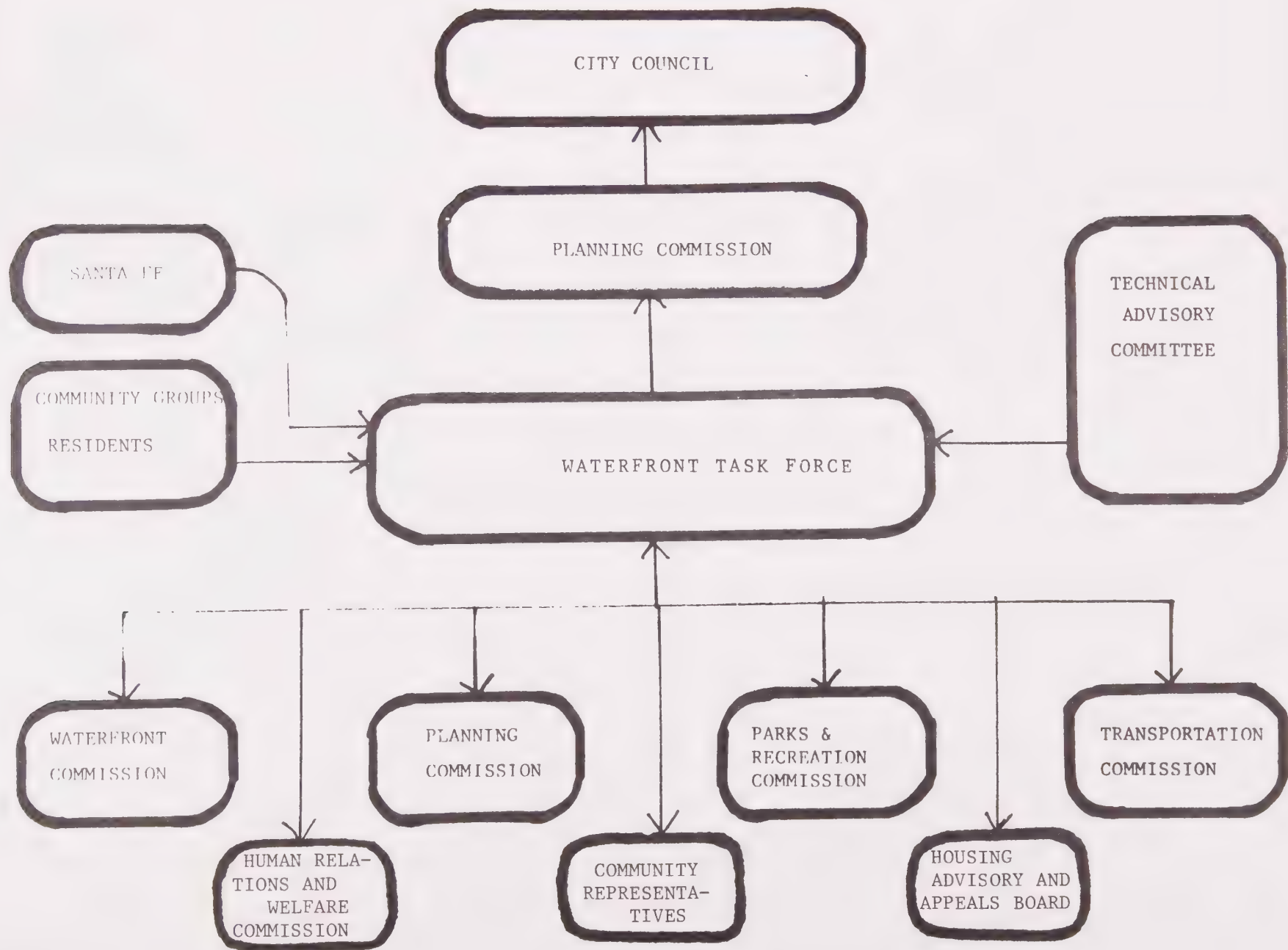
Recommendations

After consideration of testimony received at the public hearing December 8th, that the City Council:

- (1) Establish a Waterfront Task Force comprised of two representatives each from the City Council and the Planning Commission; one representative each from the Waterfront Advisory Board, Parks and Recreation Commission, Transportation Commission, Human Relations and Welfare Commission and Housing Advisory and Appeals Board; and two community representatives.
- (2) Appoint two Council members to organize and serve on the Waterfront Task Force;
- (3) Direct each Council Member to appoint its representative to the Task Force.
- (4) Direct this Task Force to prepare and recommend for review by the Planning Commission and adoption by the City Council:
  - (a) A Specific Plan for the waterfront;
  - (b) Master Plan amendments incorporating substantive components of the Specific Plan;
  - (c) An EIR which adequately identifies the impacts of the Specific Plan; and
  - (d) Ordinances and other actions such as a development agreement to implement the Specific Plan.
- (5) Direct the City Manager to organize a Technical Advisory Committee to coordinate the participation of involved City Departments, regional agencies, adjacent cities and state agencies.
- (6) Endorse the relationship proposed between the City Council, Planning Commission, Waterfront Task Force, City Commissions, Santa Fe, Technical Advisory Committee and community organizations and individuals described in this section of the report and depicted on the schematic chart.



PARTICIPANTS IN PHASE 2 PLANNING PROCESS







#### CHAPTER IV: WORK PROGRAM FOR PHASE 2 PLANNING PROCESS



## CHAPTER IV: WORK PROGRAM FOR PHASE 2 PLANNING PROCESS

### Introduction

This Chapter describes the specific activities necessary to implement the planning process described in Chapter 2: The Planning Process. First, the overall concept of how the Phase 2 process will be organized will be discussed. Then the specific tasks and methods which will be undertaken are described.

### Concept of Phase 2

As indicated in Chapter 2, the proposed planning process will use the Environmental Impact Report (EIR) process to generate the planning information necessary to refine the Preliminary Goals and Policies and to document quantitatively the differences between major development scenarios. This is possible because a normal component of the EIR is a preliminary assessment which typically produces both an inventory of existing environmental and socio-economic conditions. This work may be done at the beginning of a project or plan, before a definite development scenario is selected.

The use of the EIR process to develop the planning information was also selected because this process explicitly calls for the evaluation of different development scenarios against socio-economic and environmental criteria. Usually there is a major proposal and the alternatives are posed for contrast. The process envisioned here will expand the alternatives so that all are fully evaluated against common criteria. It was felt that this process would produce information necessary to the City for its negotiations with Santa Fe as well as provide all the information necessary to prepare a Specific Plan. It was also envisioned that at the end of this evaluation process, the Council would select a preferred development scenario from which the Specific Plan would be prepared, and which would guide negotiations with the developer.

Once the selection of a preferred development scenario has been made, the Phase 2 process will move to preparation of the Specific Plan, negotiation with Santa Fe and preparation of Implementation documents, and the Draft EIR. These documents will be submitted for review to the public and adopted simultaneously. Even so, the planning process itself is estimated to take about 17 months in addition to whatever start-up time is required to obtain funding for the process, and execute any necessary contracts.

### Organization and Administration

Most of the EIR and planning work will be done under contract. Once Council approves the Phase II process, work will begin on the development of two RFP's (Requests for Proposals). It is anticipated that there will be two sets of consultants. One will be the major consultant group which will have the responsibility for the EIR



and for the planning. The other set of consultants will be a small group of experts who will review the EIR products and the planning products at given points along the way. This group will be independent of the first group and will act as advisors to staff and to the Waterfront Planning Task Force. It is anticipated that the second set of consultants will include experts from the environmental field, the field of cost-benefit analysis, real estate development, city planning and land use law, among others. Liaison between these groups, the Community and the Waterfront Planning Task Force, will be the responsibility of a Senior Planner from the City of Berkeley. This person will be the Project Director and responsible for the overall coordination of the projects.

### Tasks and Methods

#### 1.0 INITIATE PLANNING PROCESS

- 1.1 Council Approves Phase II Plan: It is anticipated that this report will go to Council for review and discussion and that Council will approve the Phase II Planning Process with modifications. These modifications should be formally adopted by Council as the work program to be undertaken by the Waterfront Planning Task Force and by staff and the consultants. Work needed during this phase on the part of the staff includes the modification to the work program and the development of a firm set of milestones and detailed planning schedule.
- 1.2 Selection and Orientation of the Waterfront Planning Task Force:  
Once Council approves the Phase II Planning Process, the Waterfront Planning Task Force will be selected. Staff will insure that the Task Force is oriented for their specific mission.
- 1.3 Selection of Consultants: This process consists of several steps. Staff will begin by drafting the RFP's. It is anticipated that the RFP for the major consultants will be patterned closely along the lines of this work program. The RFP for the panel of experts will be developed separately. Once the RFP's are written, they will be reviewed by the Waterfront Planning Task Force and appropriate modifications made. The RFP's will then be advertised through the Commerce Business Daily as well as other standard sources. Proposals will be received and reviewed by the Waterfront Planning Task Force. Possible contractors will be interviewed and then one selected for each RFP. It is anticipated that the contract for the major consultant will be set up in such a way to permit subcontracting out specific tasks so as to insure the participation of minority and small firms. The Waterfront Planning Task Force will assist in the selection of the contractor.



- 1.4 Set Detailed Review Schedule with Council: Once the consultants have been selected, a detailed schedule will be established with Council for the major milestones. If Santa Fe is to provide the major funding, it may be necessary to draw up a contract for keeping to certain dates in return for the funds.
- 1.5 Identification of Alternate Scenarios: City staff will begin to specify the alternate development scenarios to be looked at during subsequent phases. The alternate scenarios will consist of different sets of assumptions about development on the Waterfront, taking into account development already completed. Assumptions will be made about different land use density and design standards, so as to capture the range of public discussions to date about possible uses. At this point it is possible to identify 3 scenarios. The first is the Santa Fe proposal, the second is an open space proposal, the third is Coastal Conservancy/Mixed Use (including housing) model. It is anticipated that these scenarios, and others, and the specific assumptions about land use and design standards will be developed by the Waterfront Planning Task Force during the development of the RFP for the major consultants. The detailed scenarios will be made public for review and comment prior to analysis. They will be refined as information is discussed during initial phases of the EIR data gathering.

## 2.0 ECONOMIC, SOCIAL AND ENVIRONMENTAL EVALUATION

- 2.1 Inventory and Analysis: This phase of the research corresponds to the beginning of the preliminary assessment of the EIR.
  - .1 Background Information: The first set of information that will be compiled by the major consultant will concern state laws governing planning as well as a review and evaluation of existing reports and studies related to the Waterfront. The consultant will also be asked to prepare an analysis of the Master Plan in relation to the Waterfront and a discussion of preliminary goals and policies. The consultant will also gather information on what other California cities have done with their waterfronts in terms of development, land dedication and innovative planning. It is anticipated that this task will produce a paper which will be reviewed by the Waterfront Planning Task Force and distributed to the public.
  - .2 Environmental Assessment: The preparation of the paper in this area will be based on work already done by the Santa Fe consultants. The major responsibility of the consultants will be the evaluation of the Santa Fe work. The paper will consist of sections on geology and hydrology, climactic conditions, on plant and wildlife conditions, wetlands, archeological sections, circulation and utilities. If problems are surfaced with the Santa Fe work, the consultants will do original work.





- .3 Socio-Economic Analysis: This section will consist of components on Berkeley's job needs, revenue needs, a human needs assessment as well as a recreational resources assessment. In addition, this section will provide information on the regional demand for recreational resources and the regional job demand information. The consultant's activities will consist of data collection as well as analysis and evaluation. In addition, market demand information will be developed for a variety of build out assumptions and uses. This component will produce a descriptive paper which will be reviewed by the Waterfront Planning Task Force and then distributed to the public for comment and review.
  
- .4 Issues Papers: Once the inventory has been completed it will be possible for the consultants to develop a series of issues papers drawing on the Inventory and Analysis. The development of the issues to be addressed by the papers will be the responsibility of the Waterfront Planning Task Force and the City staff during the development of the RFP, and again after the Inventory and Analysis Task. It is anticipated that the issues papers will concern themselves with some of the following issues:
  - Effect of Jobs on Berkeley's Housing Market
  - Regional Implications of Waterfront Job Development
  - Regional Recreational Implications of Development on the Waterfront
  - Impact on Berkeley of Regional Recreational Use of Waterfront
  - Environmental Implications of Development on the Waterfront
  
- 2.2 Confirm Alternative Scenarios: The consultant will be given the alternate scenarios developed by staff and the Waterfront Planning Task Force to confirm that these are sufficient. This is a normal step during the EIR process.
  
- 2.3 Analysis of Alternative Scenarios: The third major task of the research component is the analysis of and the selection of the preferred alternatives.
  - .1 Development of Assessment Plan: Once specific assumptions have been made in order to characterize the alternate development scenarios, it will be possible to develop a plan to identify public and private costs and benefits of each. This first step is to identify impact categories of costs and benefits to look at further. These costs and benefits will be sought both in terms of the impact upon the City of Berkeley and upon the Bay Area, as well as on individuals. At this point it is possible to say that at a minimum, the impact on city services



and city income, the production of jobs by income level, the impact on the price, tenure and occupancy of the housing stock, view corridors, environmental concerns and regional and local transportation systems will be considered. Once the impacts have been identified, a plan to quantify them, in terms of dollars or other measurable indicators, will be developed. This, typically, is the identification of the research methods that will be used. For those costs and benefits which do not appear to be easily quantified, a plan for assessing or presenting them in another manner will be developed. It is anticipated that this assessment plan will be partially developed during the process of preparing the RFP, and that it will be further refined by staff, consultants and the Waterfront Planning Task force at the outset of the contract. This analysis is the heart of the research since it will provide the data which will assist in judging how to proceed with the Waterfront. The assessment plan will be critiqued by the Blue Ribbon consultants.

.2 Analysis: Once the assessment plan has been refined and agreed to, it will be implemented. It should be noted that this analysis corresponds to the analysis that may be done during the conduct of an Environmental Impact Review.

.3 Review and Dissemination: The resultant cost benefit analysis will be reviewed by the Waterfront Planning Task Force and will be discussed by them and disseminated on to the public through hearings and other mechanisms described in the previous section. The Blue Ribbon consultants will be asked to prepare a critique of the analysis during the public comment phase to assist the discussion.

2.4 Selection of Alternative: As a result of the public discussion, it is anticipated that one of the scenarios will be selected by the Waterfront Planning Task Force, or a hybrid, to guide the preparation of a Specific Plan for the area. This will be presented to Council for approval.

2.5 Council Approval of Selected Alternative

### 3.0 MASTER PLAN AMENDMENTS/SPECIFIC PLAN

3.1 Preparation of Specific Plan: Once the desired development alternative has been selected it will be possible to move swiftly into producing the plan. This will consist of the production of a Specific Plan with the necessary Master Plan amendments and implementation tools such as a development agreement. Since the major planning decision will have already been made, it is anticipated that a close relationship could be maintained with the developers during the planning component. The major work of the planning component will be to transform the desired alternative into the appropriate language and documentation of a plan and the implementation tools.



- 3.2 Preparation of Necessary Master Plan Amendments: As the Specific Plan nears completion, the necessary Master Plan Amendments will be prepared.
- 3.3 Review of Draft Specific Plan and Master Plan Amendments: The draft will be reviewed by the Waterfront Planning Task Force and modified and changed to their satisfaction.
- 3.4 Preparation of Draft EIR: The Draft EIR will be finalized to reflect the Specific Plan. Because most of the information on impacts and necessary mitigation measures will have been developed earlier as part of the cost and benefit analysis, it is anticipated that this stage will not take an inordinate amount of time.
- 3.5 Revision and Formal Hearings: The Specific Plan, Master Plan Amendments and Draft EIR will be revised and presented to the City Council, who will remand it to the Planning Commission and then move into the adoption process to be developed as part of 5.0, the Adoption Component. The Specific Plan and the Master Plan Amendment will include the following chapters and any others that may be required.

Chapter 1: Refinement of Preliminary Goals and Policies. These and policies will be refined based on information generated during the research phase.

Chapter 2: Review of Land Use Criteria. This section of the plan will consider the site constraints, the criteria that determines preservation and open space land, a trail system development, site opportunities criteria to determine developable lands and an evaluation of alternative and mixed land uses.

Chapter 3: Development of Sub Area Land Use Plans. There will be a section on use plans for the Meadows, the Brickyard, Berkeley Beach, the North Basin, the Stable Lands and overall use themes.

Chapter 4: Transportation. There will be a circulation and access plan as well as for parking and transit.

Chapter 5: Design Guidelines. There will also be Design guidelines which will include open space, preservation standards and development standards. These could be prepared starting from the beginning of the process.

Chapter 6: Implementation Plan





#### 4.0 IMPLEMENTATION TOOLS

As work progresses on the Specific Plan, negotiations will begin with the private land owner to translate the substance of the Plan into the contractual arrangements to carry out the intent of Council and the Plan. The intent of this step is to result in a development agreement as well as the specification of any other implementation tools needed, such as assessment districts, zoning ordinances and the like. The negotiations will proceed under the direction of City staff and the Waterfront Planning Task Force. It is anticipated that work on this step will end simultaneously with work on 3.0.

#### 5.0 ADOPTION

As discussed previously, this component consists of the legal mechanisms required to insure that the plan is actually adopted and implemented. It includes the environmental review process as well as the development of enabling ordinances that are needed to adopt this specific plan and the development agreement as well as appropriate City Council action in any and all of the stages.

- 5.1 Needs Assessment and Work Program: It is anticipated that the first task that will be undertaken by the consultant and the Waterfront Planning Task Force in this area will be to develop a specific plan for what is needed in this area along with timetables. To do this a review will be needed of the city charter, of the EIR process and of the city ordinances about the planning process. The product of this stage will be a listing of the ordinances which must be prepared for the EIR process.
- 5.2 Environmental Review Process: The environmental process can begin immediately much of the information to be generated during the research component falls in the category that which is required for the preliminary assessment of the EIR. The draft EIR cannot be prepared until the development of the plan itself; however, since much of the information necessary for its preparation will have been generated during the research component phase it is not anticipated that the actual preparation will require an inordinate amount of time. The final EIR will be developed after the review process for the Specific Plan.
- 5.3 Enabling Ordinance Adoption: As required by 5.1
- 5.4 Legally Required Hearings: Although hearings, workshops and extensive community input and feedback will be part of most of the major steps, one set is legally required. Accordingly, once the Specific Plan, Master Plan Amendments and the Draft EIR have been prepared, as well as the Implementation Tools such as the Development Agreement, the Waterfront Planning Task Force will formally present these documents to the City Council. The City Council will then remand the documents to the Planning Commission for a 90-day hearing and review process.



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It is necessary that the Plan, etc., go to the City Council first, so that when the documents are revised, revisions come back to them at the end of the 90-day period, that they can make modifications without sending them back again to the Planning Commission for yet another review.

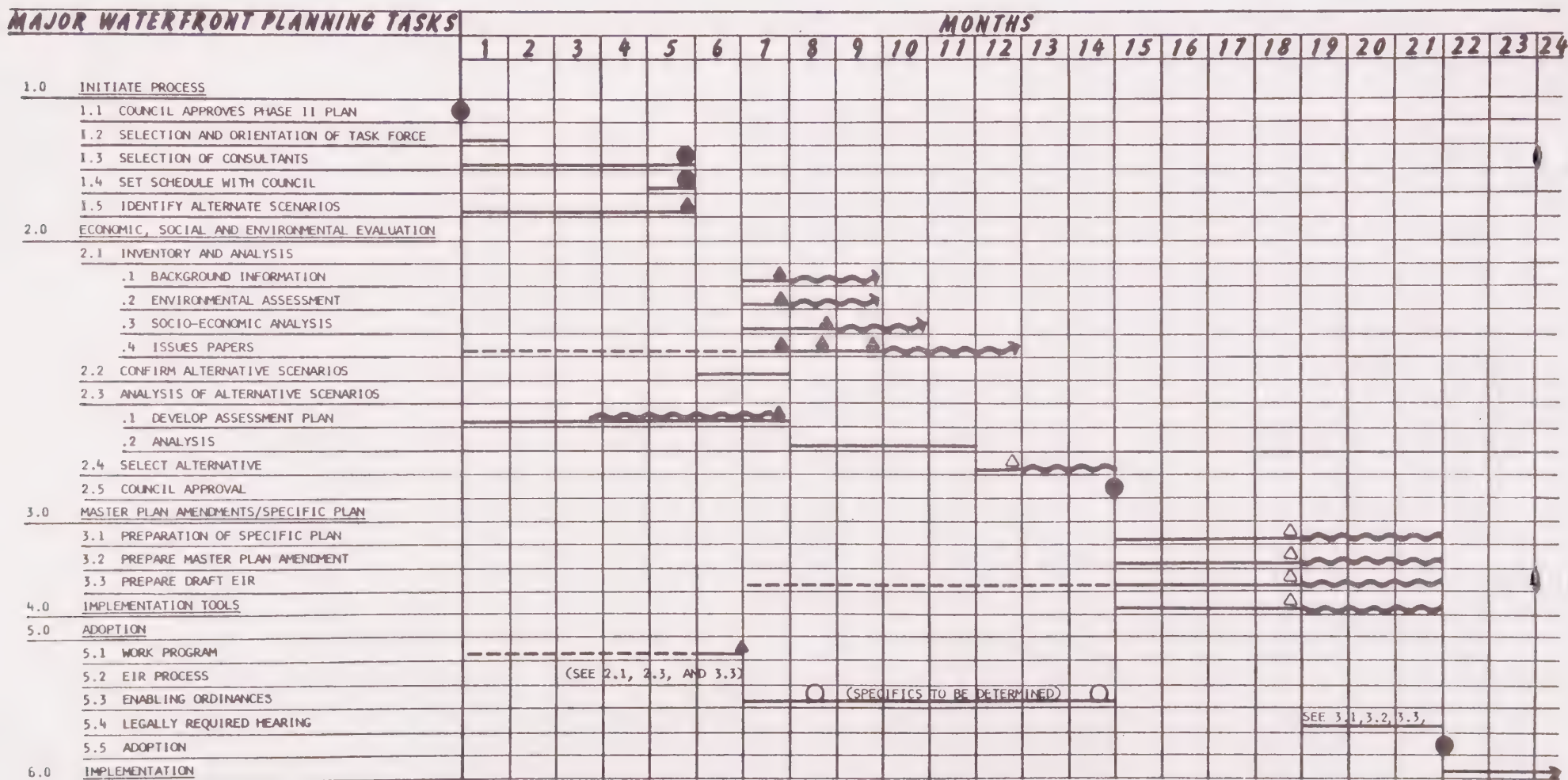
- 5.5 Adoption: The City Council will then formally certify the EIR, adopt the Master Plan Amendment, the Specific Plan, and Implementation tools such as the Development Agreement in that order.

6.0 Implementation





## TASK ANALYSIS AND TIME LINE FOR CITY OF BERKELEY WATERFRONT PLANNING PROCESS







CHAPTER V: FUNDING THE PHASE 2 PLANNING PROCESS



## CHAPTER V: FUNDING THE PHASE 2 PLANNING PROCESS

### Introduction

The Phase 2 Planning Process will involve extensive technical planning and environmental review, coordination between parties concerned and affected by the process, overall management of the process, and negotiation between parties on implementation actions. But from this process the City will finally realize the benefits latent in its waterfront lands. This Chapter will begin by examining the types of work involved; then potential funding sources and cost estimates will be analyzed and recommendations provided.

### Work Components

The work program developed in Section 4 emphasized the sequential steps in the planning and decision-making process. In determining how much this process will cost to carry out, the components are divided into functional categories. Cost estimates assume consultants will be used where their use can expedite the process. Specifically, they will be used for technical planning, environmental evaluation, legal work and negotiations. City staff (existing and supplemented) will be used for project management, facilitating public participation, preparation of public information and liaison to City Council and other advisory bodies.

#### Project Management

The first work component is overall management of the process. In this component will be:

- Organization and staffing of the Waterfront Task Force and Technical Advisory Committee.
- Management of public participation and public information.
- Internal coordination between departments and between City and any consultants.
- Recruitment and supervision of consultants and/or supplemental staff.

Staff will assume responsibility for this overall management though supplemental staff or consultants may be used for support, e.g., public information, presentation and report preparation, etc.

#### Plan Development and Environmental Evaluation

The second component is the technical work of plan development and environmental evaluation. This will include presentations and responses to public comments but will not include the primary responsibility for organizing the appropriate public participation. Technical work will be comprehensive and include identification of alternative scenarios, evaluation of their impacts and their feasibility, and proposals for implementing activities including land dedications, assessment districts, and zoning. Among the tasks will be to:



- Evaluate alternative scenarios for their impacts and feasibility.
- Develop selected scenario into a Specific Plan meeting state requirements.
- Draft Master Plan amendments based upon Specific Plan.
- Prepare an implementation program to realize the Specific Plan.
- Carry out environmental evaluation and documentation as required by the California Environmental Quality Act. This will include preparation of the draft EIR, response to comments and submission of the final EIR.
- Identify potential public and private funding sources for implementation of plan components.

#### Implementation Documents

This third component involves the development of implementation documents needed to realize the Specific Plan. These could include, but would not be limited to:

- Zoning and/or Subdivision Ordinance amendments
- Development Agreement
- Interagency contracts
- Grant and Loan applications
- Redevelopment plans
- Assessment districts
- Public/private contracts

Cost estimated for this component includes only costs to the City. Other public and private bodies affected would incur costs in the negotiation and preparation process but these are not estimated.

#### Negotiation

The final component is the negotiation cost. To implement a waterfront plan will involve complex relationships between the City and other public agencies as well as the private property owner. This process will begin with the negotiation of a contract to pay for the planning process if Santa Fe is to fund the Specific Plan preparation. It will continue through approval by contracting parties of the agreements necessary to insure plan implementation.





## Alternative Funding Sources

There are three major funding sources that can be looked to for funding the Waterfront Planning process. The first are sources within the City, the second is Santa Fe, and the third are outside agencies. The remainder of this section will address each in turn.

### City Sources:

Within the City there are three possible funding sources: the General Fund, CDBG funds and the Marina Fund. The General Fund has traditionally supported planning and policy-making functions. Its resources, however, are hard pressed to meet the variety of demands placed upon it. A planning process which relied upon this source would of necessity only permit development of conceptual plans. It could include impact evaluations but might produce a plan less comprehensive than desired and require a longer time frame and rely on conventional implementation strategies. Under this approach, Santa Fe would pay for preparation of their application and Environmental Impact Review (EIR) on that application.

The General Fund might be supplemented from two additional City sources - CDBG block grant funds and Marina income. As with the General Fund, there are many competing uses for their use and to employ them for Waterfront planning would require explicit priority setting by City Council. The Block Grant meets a variety of community development needs from South Berkeley economic development activities through housing conservation programs serving low income households. Use of these funds must meet a low income benefit test, which the City currently insures by requiring that all projects be located in the Neighborhood Strategy Area, which does not include the waterfront area. Council could, however, decide to eliminate the NSA requirement. The Marina Fund, after meeting bond obligations and maintenance of the Marina area, has been used to develop the North Waterfront Park. Even with this support, however, this park will take many years to complete. With the Marina Fund, provisions could be made to utilize funds on a loan basis with repayment from additional fees when private development on the waterfront occurs. This would delay, but not remove Marina revenues currently committed to the park.

### Santa Fe:

Santa Fe is another potential source of funding. This funding could occur in a variety of ways. The first would be to limit its use to the environmental evaluation of a proposal they would submit as is current practice for private applications. The City could proceed with development of a Specific Plan and establish development fees to cover Specific Plan preparation costs which would be paid at the time a formal application is submitted. If this were done, use of the Marina Fund as described above could become acceptable. This option would extend the planning process due to limited annual revenues available from City sources.

A second option would be a contract with Santa Fe to fund the Specific Plan and EIR preparation plus a 20% override to support project management and later an additional contribution of \$50,000 to support costs required to prepare



implementation documents. This would permit an expedited but comprehensive process of plan development and environmental review. In return for this "up front" funding the City would commit itself to adopt Master Plan amendments and a Specific Plan within a defined period (less than two years); these documents would contain a definitive statement of what the City would permit on the privately-owned lands on the waterfront. City staff have begun to pursue this option.

As described in Sections 2 (The Planning Process), 3 (Participation in the Planning Process) and 4 (Work Program), the City would directly manage all aspects of the process. As the only private property owner of the area to be planned, Santa Fe would be consulted and its concerns considered and shared with the Task Force responsible for preparation of a feasible Specific Plan. The City would not, however, provide Santa Fe with any up front guarantees as to what the planning process would result in.

#### Other Funding Sources:

Many groups, public and private, are committed to planning for the waterfront which results in the greatest overall benefit to the public. Negotiations with these organizations for funds to support the planning process, as with Santa Fe, must avoid "preconditions." Staff will contact agencies such as the Coastal Conservancy to obtain their support. At a minimum, work of the Coastal to date will be incorporated into the next phase.

In addition, staff exploring ways to utilize to the extent possible student resources, especially at the initial stages of preparation and evaluation of alternative scenarios and perhaps throughout to support public information programs.

#### Estimated Costs:

Cost estimates for each of these components are given to the attached chart. These represent rough estimates to provide City Council with an overview of the costs involved. The costs assume a two-year planning process. Approximately six months will be devoted to start up activities. Substantive plan preparation, evaluation and preparation of implementation documents will take the following eighteen months.

The estimates further assume a contract will be negotiated with Santa Fe to fund the Plan and EIR preparation activities with a contribution to overall project management and preparation of implementation documents. The remaining resources can come from currently budgeted City staff. Funding for the City's share of the resources required for preparation of implementation documents could come from CDBG and/or Marina Revenues.

The costs for Specific Plan and EIR preparation are based upon rough estimates provided by consultant firms experienced in this type of work. They emphasized the difficulty is making such estimates without a specific request.



from the City and more information on available resources and the support to be provided by the City or other organizations throughout the process.

Recommendations

That the City Council authorize the City Manager to:

Contract with Santa Fe and other potential funding sources for resources needed to carry out the Phase 2 Planning Process based upon the attached estimates and allocations.



PHASE 2 PLANNING PROCESS: FUNDING ESTIMATE AND RECOMMENDED SOURCES

	Estimated Total Cost	Recommended Allocation of Costs			% of Costs by each source		
		City*	Santa Fe	Other**	City*	Santa Fe	Other**
Overall management of planning process, public participation and public information	\$100,000	\$30,000	\$70,000		30.0	70.0	
Plan and EIR Preparation including public review and response and documents required by CEQA	400,000		350,000	\$50,000		87.5	12.5
Preparation of Implementation documents: Development Agreement, Ordinance amendments, interagency contracts, etc.	75,000	25,000	50,000		33.3	66.7	
Negotiation of contracts with Santa Fe, public agencies	50,000	50,000			100		
TOTAL	\$625,000	\$105,000	\$470,000	\$50,000	16.8	75.2	8.0

\*Includes General Fund, CDBG, Marina revenues

\*\*Includes State agencies, private organizations





ATTACHMENTS

A. Planning Commission: Recommendations on Waterfront Goals and Policies and Planning Process	A - 1
B. Waterfront Advisory Board: Phase I Waterfront Planning Process Report and Recommendations	A - 5
C. Parks and Recreation Commission: Recreation for the Berkeley Waterfront - <del>Recommendations</del> Waterfront Planning Process	A - 7 A - 13
D. Transportation Commission: Phase I Waterfront Planning Process	A - 16
E. Waterfront Community Meeting: Minutes of Meeting Written Comments:	A - 20
Berkeley Design Advocates	A - 24
Berkeley Chamber of Commerce	A - 27
Sierra Club: East Bay Shoreline Park Task Force	A - 28
Fran Violich	A - 32
F. Costs for Phase I Waterfont Planning Process	A - 37



# City of Berkeley

CITY MANAGER'S OFFICE  
2180 MILVIA STREET  
BERKELEY, CALIFORNIA 94704

(415) 644-6580

FOR COUNCIL ACTION  
December 8, 1983

To: Honorable Mayor and  
Members of the City Council

From: Planning Commission

Subject: RECOMMENDATIONS ON WATERFRONT GOALS AND POLICIES  
AND PLANNING PROCESS

## Introduction

The Planning Commission has actively participated in waterfront planning since the initial referral in January on an appropriate planning process. In September the Commission received the Phase I report with its request for comments and recommendations from the Planning Commission.

The Commission at its October 5th and 19th meetings discussed the Phase I Report. Following the October 19th a subcommittee continued to seek consensus on a full set of Goals and Policies to recommend to the City Council on behalf of the Planning Commission. This subcommittee agreed to support or recommend specific changes to goals and policies 1,3,4,5,6,7,8,9, and 10 in the Phase I report. The subcommittee failed to agree on a recommendation on Goals and Policies 2.0 through 2.3 dealing with revenues to the City from the waterfront.

## RECOMMENDATIONS

- (1) The following planning sequence for the waterfront:
  - (a) Preparation of draft Specific Plan with full developer participation followed by;
  - (b) Specific project proposal by developer;
  - (c) Preparation and action upon certification of EIR;
  - (d) Adoption of Master Plan; Amendment/Specific Plan/Zoning changes if necessary;
  - (e) Negotiation/preparation of binding development agreement; and
  - (f) Implementation
- (2) The City Manager, before a decision is made on how to proceed with the Waterfront Planning process, set forth specific alternatives for City staffing assignments during the planning process; these alternatives shall include both the possibility of requiring Santa Fe to partially or wholly finance the hiring of private consultants or additional City staff.
- (3) The City Manager recommend a process to the Planning Commission for its monitoring of Phase 2 progress as well as appropriate mechanism for obtaining public input particularly between steps 1 and 2.

- (4) The City Council amend Goals and Policies to reflect the discussion at the Commission's October 5 meeting, specific language of the recommendations to be approved unanimously by the subcommittee. (Language on which unanimous agreement was achieved attached).

For: Bonno, Chong, Edwards, Gleason, Hawthorne, Maier, Parfrey, Taylor  
Absent: Porter

#### Discussion

At its meeting of October 5 the Planning Commission received a comprehensive staff report on the findings and recommendations contained in the Phase I report. The implications of various process options and various planning tools (Specific Plan, Development Agreement, etc.) were considered.

With this foundation, the Commission went on to consideration of the proposed Goals and Policies contained in Section 4 of the Phase I report. Concern was expressed that the report does not emphasize maintenance of the open space character of the site. This led to discussion of the need for special prominence for some issues through priority policies or a preamble or subordination of some policies.

The Commission then went on to review the Goals and Policies one by one. Some recommended changes were to strengthen policies such as the one dealing with a continuous shoreline path. Other changes were designed to make the policies more specific such as the recommendation to establish setback standards and to mandate specific and enforceable plans for targetting jobs. Other recommendations were to clarify language and provide examples to explain the intent of some policies. The Commission and the subcommittee were not satisfied with the language of Goal and Policies 2.0 through 2.4 on revenue to the City but were unable to agree upon alternative language to recommend to the City Council. Specifics of the Planning Commission recommendations on language for Goals and Policies is contained at the end of this report.

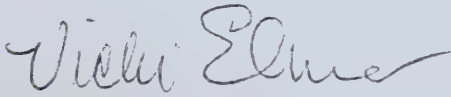
The October 19th meeting focused on planning process options. The Commission's subcommittee recommended for Commission endorsement a five step planning process and utilization of the Commission during Phase 2 as the body to monitor the process and to be the vehicle for obtaining public input. From this report, the Planning Commission explored a variety of issues, including:

- The necessity that the process guarantees citizen and developer involvement from step one
- Whether a negotiated agreement is appropriate until the City has clarified its goals and through an EIR determined what they mean in land use alternatives on the waterfront.
- How the process will be funded and staffed
- How to avoid adversarial relationships between the City and Santa Fe
- Initiation of the EIR process immediately so information can be used in plan development

- When in the process a negotiation of a development agreement is appropriate.

Based upon discussion of these issues the recommendations of the subcommittee were amended and expanded into the Commission recommendations contained on the first page of this report.

Approved by:



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Vicki Elmer

Assistant City Manager, Planning and Community Development



CHANGES TO GOALS AND POLICIES RECOMMENDED BY PLANNING COMMISSION:

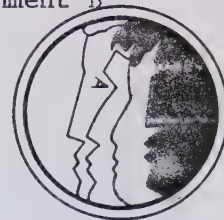
Additions underlined  
Deletions crossed out

1. 1.1 To insure that any proposed project provide job opportunities both during construction, after completion, and during implementation for the unemployed and underemployed residents of Berkeley, including entry level and other levels of training, and that these jobs provide for upward mobility to the greatest extent feasible.
2. 1.2 That any proposed project include projections of employment both during construction and implementation by job skill and job category as well as a specific and enforceable plan for targetting the jobs to Berkeley residents.
3. 4.2 Relocate to become policy 5.4
4. 4.3 Provide cultural uses, as illustrated by uses such as a nature center, museum, aquarium and the like, as part of Waterfront improvements.
5. 5.2 Create a continuous network of pedestrian paths and linkages, emphasizing a continuous shoreline.
6. 5.3 Insure that both active and passive recreational opportunities, such as beach, sailing, picnic and similar uses, capitalize upon the marine resource.
7. 6.5 Buildings shall be sited so that they are harmonious with and complementary to open space and recreational uses of the waterfront.
8. 7.0 Goal: TO ESTABLISH SAFE AND CONVENIENT ACCESS TO AND CIRCULATION ~~TO AND~~ WITHIN THE WATERFRONT.
9. 8.0 Goal: TO DESIGN FACILITIES WHICH ~~MAXIMIZE THE POTENTIAL~~ RECOGNIZE THE UNIQUENESS OF THE SITE AND ITS RELATIONSHIP TO THE REST OF THE CITY.
10. 8.1 ~~Insure that structures are not designed in a sterile manner devoid of the location, history and culture unique to Berkeley.~~ (Delete)
11. 8.4 ~~Develop~~ Encourage structures which are scaled to a pedestrians environment.
12. 8.5 Maintain view corridors and vistas from the Waterfront both towards the Bay and Berkeley Hills.
13. 8.6 ~~Set-back-all-structures-from-the-water's-edge.~~ Establish setback standards for all structures near the waterfront.
14. 9.2 Relocate to become policy 10.3.
- 15.10.0 Goal: TO CREATE A DIVERSIFIED WATERFRONT WHICH REFLECTS RESIDENT NEEDS AND VALUES.

No recommendation is made on Goals and Policies 2.0 through 2.3. Other Goals and Policies are acceptable to the Planning Commission as drafted.

# City of Berkeley

DEPARTMENT OF PUBLIC WORKS  
BERKELEY MARINA  
201 UNIVERSITY AVENUE  
BERKELEY, CALIFORNIA 94710



(415) 644-6371

FOR COUNCIL ACTION  
November 8, 1983

Deadline for Council  
Action November 8, 1983

To: Honorable Mayor and  
Members of the City Council

From: The Waterfront Advisory Board

Subject: PHASE I -- WATERFRONT PLANNING PROCESS: REPORT AND RECOMMENDATIONS

## Introduction

The purpose of this report is to transmit the Waterfront Advisory Board's recommendations to Council regarding the Phase I -- Waterfront Planning Process report done by the Planning and Community Development Department.

## RECOMMENDATION

1. That Council not adopt the proposed goals in the Phase I -- Waterfront Planning Process Report prepared by the Planning and Community Development Department. While the goals recommended by staff are generally appropriate, the organization and structure of the goals are in need of revision. The Board recommends the goals be presented in the following sequence:
  - a. goals relating to the character of the waterfront and its relation to the overall East Bay shoreline,
  - b. social and cultural goals,
  - c. economic goals,
  - d. design and access goals, and
  - e. administrative goals.

The major shortcomings in the currently staff recommended goals are:

- a. their silence on the question of priorities among uses,
- b. the lack of an overall direction for the waterfront, and
- c. their omission of recreation and open space policy statements.

The following additions to the goals are proposed:

- a. an overall statement about the values of the waterfront setting, and the general direction of City policy toward those values.
- b. reaffirmation of the City's longstanding Master Plan goal to



- "develop an unbroken stretch of open space" along the shoreline.
- c. large areas of recreational open space shall be part of any specific plan for the waterfront.
  - d. public access to all the shoreline shall be maximized, and recreational use shall be a major priority.
  - e. strong support for the creation of an East Bay Shoreline Park.
  - f. re-word Goal 2.0 to read: TO INSURE THAT THE PROPOSED PLAN SHALL REQUIRE NO NET EXPENDITURE OF LOCAL FUNDS OVER THE LONG RUN FOR ITS DEVELOPMENT OR IMPLEMENTATION, AND THAT IT CONTRIBUTE TO THE NET INCOME STREAM OF THE CITY.
  - g. commercial development on the waterfront shall be consistent with the overall economic well-being of Berkeley's downtown and other existing commercial centers in the City, including the waterfront.
2. That the next stage of planning for the waterfront should proceed under the following guidelines, which the Board perceives as consistent with either option #4 or 5:
- a. Regardless of the specific procedures chosen, the next step for planning must be adoption by the City Council of a clear statement of goals and priorities.
  - b. These goals and priorities should be accompanied by a few broad alternatives describing possible concepts for use of the waterfront and a staff recommendation from among the alternatives. Given the many differing desires of Berkeley citizens on the best future use of the waterfront and the difficulty of most citizens in evaluating the full implications of alternative directions at such an early stage in the planning process, the Planning and Community Development Department staff need to help crystallize public debate by providing analysis and recommendations on substantive alternatives. Such recommendations will be as valuable as they are controversial.
  - c. Following approval of these goals and alternatives, master plan amendments and a specific plan shall be prepared.
  - d. Preparation of the Environmental Information Report (EIR) for the Master Plan and the specific plan should begin at the earliest stage in the process.
  - e. Any decision on the need for a negotiated development agreement to implement the specific plan should await resolution of the direction and content of the specific plan. It is premature, at this point, to judge whether the negotiated agreement will be useful in the implementation of the specific plan.

#### Background

At a workshop on October 6, and at its regular meeting on October 11, 1983, the Waterfront Advisory Board reviewed the draft Phase I --Waterfront Planning Process report, found it inadequate, and could not recommend adoption of the staff proposed goals without significant revisions. (AYES: Bennett, Carr, Collignon, Fleming, Huth and Orman; ABSENT: Croly and Shirek).

*Edward L. Bennett*

Chairperson  
Waterfront Advisory Board

# City Of Berkeley



PARKS AND RECREATION COMMISSION  
2180 MILVIA STREET BERKELEY, CALIFORNIA 94704

(415) 644-6530

## FOR COUNCIL INFORMATION

November 8, 1983

To: Honorable Mayor and  
Members of the City Council

From: Parks and Recreation Commission

Subject: RECREATION FOR THE BERKELEY WATERFRONT

### Introduction

At a special meeting of October 17, 1983, the Parks and Recreation Commission approved the following report as an information item to City Council regarding the Waterfront Planning Process.

Commissioners Present: Schemmerling, Couch, Hester, Ratcliff, Temko,  
Twombly

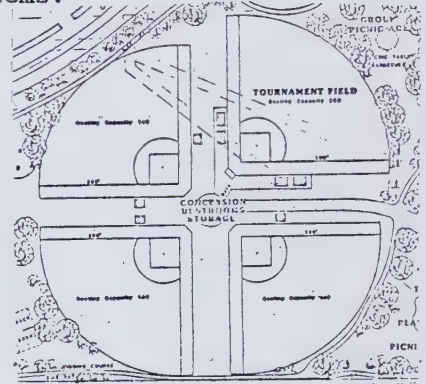
Commissioners Absent: Jackson, Peeler, Williams

### Analysis

The following are the Parks and Recreation Commission's ideas for possible and desirable recreational uses at the Berkeley Waterfront:

1. Recreation at the shoreline should provide a variety of activities, ranging from those which are structured for groups and teams, to those which are solitary and passive.
2. There should be separate paths for walking, jogging, bicycling, and skating, designed along the side of one another. Example: Venice Beach, CA
3. The site should have wind-protected sun traps for sunning, reading, picnics, etc.
4. Facilities for nighttime entertainment, such as music, dancing, theater, eating and drinking, should be made available.

5. An amphitheater, placed properly, for amplified music, which could relieve John Hinkel Park and Greek Theater neighborhoods of some of the noise problems.
6. Adventure Playground should be expanded.
7. Lighted, multi-use field complexities should be developed which would allow for soccer, soft and hard ball to be played simultaneously. The wagon-wheel design is an efficient model to use. This would require at least 25 acres as a single parcel to be properly effective.
8. The Marina and Nature Study areas should be maintained and expanded.
9. The exit of Strawberry Creek into the Bay should be made a main attraction and focal point of the design of that part of the site.
10. There should be some money making recreation.
11. Many of the activities mentioned will provide jobs for unskilled and partially skilled people.
12. Among the recreational activities made available, the opportunity for participation by the handicapped should be a part of the design.
13. There should be simple, low-cost restaurants and food stands where appropriate.
14. It should go without saying that water sport facilities must be included as much as possible.
15. The Waterfront should provide the possibilities for as many diverse recreational, cultural, and educational facilities as is possible, such as, museums, natural and cultural centers. All of these activities and facilities should dovetail with and enhance the activities elsewhere at the Marina and Aquatic Park, which are presently offered as well as future activities.
16. A model for a great deal of what has been mentioned above, is the pleasure park in Copenhagen, Denmark called Tivoli Gardens. The Commission suggests that these concepts might be designed in the same spirit as Tivoli Gardens, although the Commission would want to see the focus and substance of the Berkeley Waterfront to be unique as the site and City are.\*



\*See Attachment A and B



The Parks and Recreation Commission has been asked to provide ideas for recreation on the Berkeley Waterfront. The following represents the views and concerns of the Parks and Recreation Commisison for future development of the Berkeley Waterfront.

Recreation is obviously the highest and best use of the Berkeley Waterfront; and therefore the City, beset with financial problems and the need for more jobs, should seriously consider revenue-producing recreational facilities. An appropriate "pleasure park" on the order of Copenhagen's famous Tivoli Gardens - yet contemporary in the best American spirit - is a possibility that deserves careful study. For to avoid a pseudo-recreational "theme park" on the Disneyland model, or worse yet, ersatz entertainment grounds such as Marriott's Great America, Berkeley must understand from the outset that nothing less than a cultural and architectural masterpiece would be right for its great bayfront site opposite the Golden Gate.

An updated version of Tivoli Gardens, its charming collection of entertainment pavilions, restaurants, concert halls, rides and other amusements for children and adults, set in a green and flower environment that is refreshed by fountains and exquisitely lit at night does not seem wrong for Berkeley. It would be an error to try to duplicate Tivoli in a literal way, as if Californians were Danes - and 19th-century Danes at that. Instead, we should create a 20th-century pleasure garden on similar principles.

Berkeley's Waterfront Gardens should be as profoundly innovative, as graciously open to people of all ages and backgrounds, as the Oakland Museum is for its quite different purpose. An architect of the stature of the museum's designer, Kevin Roche, should be selected, perhaps after a competition (although Oakland chose Roche over nine other famous architects after interviewing them all). In any case the architects and planners retained by the Santa Fe Railroad have never done anything approaching such distinction. Berkeley would have to insist that a great designer be found for the job.

The same can be said for the developer. The Santa Fe, which lately has done a superior renovation of its historic headquarters in Chicago, but otherwise has had a bleak architectural record for decades, would need to bring in a developer with high capabilities in the recreational field, for example the Rouse Corporation, which among other accomplishments renewed the Quincy Markets in Boston and also improved the Baltimore Waterfront.

An appropriate pleasure garden for Berkeley would require only a small portion of our extensive bayfront acreage. Perhaps it would occupy 10 or 15 acres, and certainly no more than 25 or 30, leaving the rest as free public open space. It is not generally appreciated that the recreational facilities, even "theme parks" that are outwardly trivial and crass, are organized with great ingenuity on rather small sites, Disneyland, although the parking is handled crudely, is in other respects extremely compact and efficient in land use.

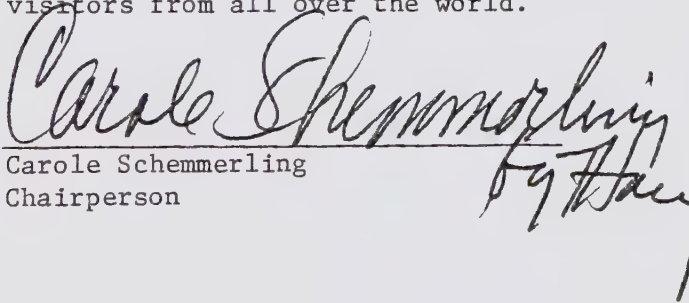
Economically, the right kind of facility could be a boon to Berkeley. Tivoli, in the very heart of Copenhagen, for over a century has returned a handsome profit, even though it is open for less than half the year. In Berkeley, of course, a park could be open the year round.

So far as jobs are concerned, the recreation industry seems more likely than most others to alleviate Berkeley's unemployment problem. It provides a relatively high percentage of lightly skilled or semi-skilled jobs, as well as mid-management positions which do not require the advanced professional training that is mandatory in high-tech industries. Although the City has yet to confront the reality of its non-competitive place in the keenly competitive Bay Area market for office, commercial, and industrial space, the fact is that 30 million square feet of such construction has either been recently built, or is likely to be completed in the next 10 or 15 years in central Contra Costa County.

The primary reason why businesses are going there, or to other outlying locations, is not cheap land (although suburban real estate is more easily available and somewhat less expensive than Berkeley's), but a supposedly more reliable and more productive work force.

It will take imagination to find jobs for Berkeleyans who, without considerable training or retraining, may be virtually unemployable in conventional businesses which are hiring thousands of suburbanities today - for example, the 12,000 in Contra Costa who will work in huge new facilities for Pacific Telephone, Chevron, and Bank of America.

Without claiming that a recreational park would be a sure way out of this dilemma, our Commisison strongly recommends that it be studied by competent consultants as a possible land use. The overriding question remains what would be most appropriate for the waterfront, and that raises additional cultural and architectural questions which Allan Temko, critic of the San Francisco Chronicle, raised in 1977 when a version of Tivoli Gardens was proposed for Yerba Buena Center. We are attaching excerpts from his article, which emphasized the difficulties of doing such things well in the United States. But the potentialities are tremendous, if Berkeley refuses to settle for a Shoppingland, Frontier Village, or some other ersatz pseudo-recreational environment, and instead creates the best kind of new park for our own citizens, our neighbors in northern California, and indeed visitors from all over the world.

  
Carole Schemmerling  
Chairperson



## Environmental Design

# A Blueprint For S.F. Fun, Culture

By Allan Temko  
Architecture Critic

Like a Roman proconsul entrusted with rebuilding Carthage after it was plowed with salt, San Francisco's Chief Administrative Officer Roger Boas has turned his aquiline gaze to the 25 acres of ruins that were supposed to be the monumental public core of Yerba Buena Center.

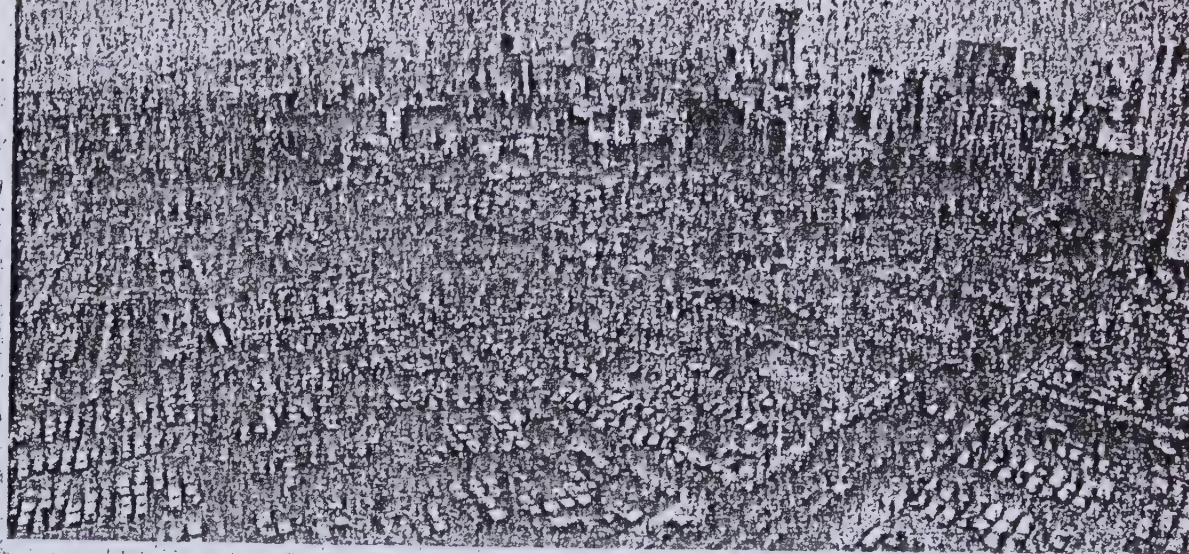
Yet even to the enterprising Boas, the bitter political and legal battleground of YBC must offer a forbidding vista. Quite apart from enormous problems in the surrounding 62 acres which were also pulverized by the Redevelopment Agency for private development, there are only vague notions of what can be done with the public portion of the project — two tremendous empty blocks of 12½ acres each between Mission and Folsom.

Now that the mammoth original scheme for YBC has been scrapped, a virtual planning vacuum exists, making it infernally difficult to create

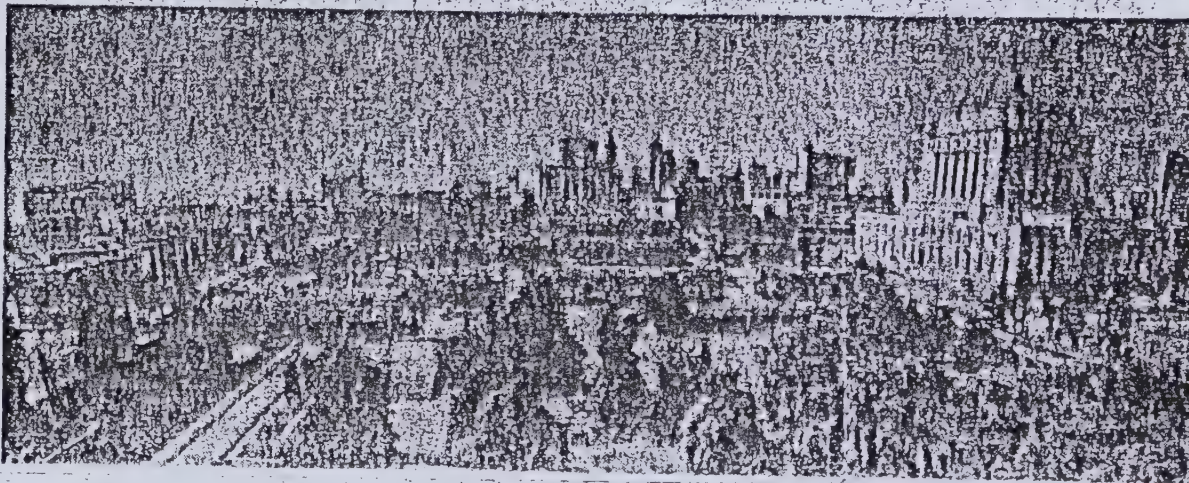
meeting to this level of schlock. In a now-discarded design for the ground above the exhibition hall, architect Obata installed frilly little shops and entertainment stands, as if San Francisco were fated to undergo the latest concoction of the pseudo-recreation business: Shoppingland, in which ersatz amusements act as magnets for what are basically shopping centers.

If this is all San Francisco stands to get for an investment of \$80 million in federal and city funds over the past decade, it would have been cheaper and better simply to leave the vivid South of Market cityscape intact, including landmarks such as the Barrel House saloon, and spruce them up as "Reality World" — Mad Magazine's answer to Disneyland — in which real Cosa Nostra hoods, Nazi bikers, and Symbionese Liberation Army terrorists give a normal U.S. family of four a true adventure thrill.

Obviously much nobler pos-



The problem: Pulverized site of Yerba Buena Center





great social architecture on this potentially magnificent site, whose possibilities in fact are almost unlimited.

It is true that developer Lyman Jee still hopes to build a big Apparel Mart on half of the northern block, but he has not obtained financing. In the meantime rival developers are refurbishing, and intend to enlarge, the old Mart at Fourth and Market streets, which could kill Jee's project, and leave the whole block open.

The southern block is completely free, thanks to a brilliant new concept for its underground convention hall by engineer T. Y. Lin and architect Gyo Obata, who have designed 300-foot arches which, as I reported last week, leave the surface above unencumbered for development as a park.

But what kind of park should this be?

Unfortunately, when various YBC options were put on the ballot, the mayor's select committee used the unfortunate term "theme park," which raises harrowing visions of synthetic amusement centers on the order of Disneyland or Great America, which evolved from Southern California's ingenious contribution to commercialized folk culture: Knott's Berry Farm.

As recently as June, Boas' thinking seemed to be plum-

ibilities are open for YBC, including architect Richard Gryzlec's longstanding suggestion — attractive enough for a starter — that we should literally imitate Copenhagen's famous Tivoli Gardens, and create a similar "pleasure park" on the traditional Danish model.

In spite of a skeptical response by Boas and his financial advisers, the idea has much to recommend it. Tivoli is a wonderful source of both broad fun and higher kinds of cultural enjoyment for people of all backgrounds, and ages. Most activities, but not all, are available to those with small purses, and some are free. There are exciting rides, concerts, shows, restaurants, and quiet areas of repose, enriched by fountains, art, and beautiful planting, exquisitely illuminated at night. The atmosphere is festive, non-puritanical, with a genuine old-fashioned grace.

But would this be right for San Francisco? Someone wickedly remarked that Tivoli couldn't survive without those Danish grandmas smoking cigars. The label on Gryzlec's package is really Nostalgia. Although I'm not put off by his earnest pulpitizing, which he has been doing lately at the Redevelopment Agency as a paid consultant, he does seem unperturbed to Tivoli's significance as the most advanced concept of its kind at another time and place.

The Danes who founded Tivoli a century ago were not looking to the past for inspiration, but to a boundless future. We should do the same.

This seems a large order, but as Boas has come to understand, it means only that we must uncompromisingly seek the finest aspects of contemporary humanism, and make them fun for everyone, but especially for our own people of the Bay Area, who take priority over white-shoed New Yorkers and Texans, and have a right to superlative civic art and architecture at YBC.

Can there be any doubt that this must include science and technology, as well as uncompromising modern art, drama and dance, music and light shows, in fact the inexhaustible range and uninhibited vitality of creativity today? There should be room for high-jinks and serious learning, enriched by a sense of history, and the classic art of the past, but all expressing the intrinsic character of San Francisco as we would like it to be, set in the midst of contemporary urban life.

Thus there should be haute

### A possible solution: park-like environment of Oakland Museum

cuisine and hot dogs, not to mention authentic pizza, Mozart and rock, Nuits-St-Georges and steam beer. Nothing should be fake, and although some things must be inexpensive, nothing should be cheap.

Then all this must become architecture — a masterpiece of modern design as rich and inviting as the unprecedented garden environment Kevin Roche created in the Oakland Museum, in which art, and science, history and technology, and a marvelous variety of social events, both hodie and modest, are equally at home in a building that is itself a terraced park, planted with thousands of trees and shrubs, flowers and vines, that in time will overgrow and almost efface the handsome structure.

But first, we must have a program that can be expressed in such architecture. Happily, Boas is enthusiastically exploring all sorts of opportunities, including some that were muffled, such as the blunder of the Alioto regime in not finding an appropriate home for the incomparable toy and doll collections that the brilliant designers Charles Eames and Alexander Girard offered San Francisco some years back.

Apparently the offer is still open, and it could be the beginning of a cultural park unique in the world, for Eames — the creator of magnificent science and mathematics mu-

seums which IBM gave to Seattle and Los Angeles, as well as a new computer museum which the corporation is building in New York — is brimming with comparable ideas for San Francisco. These of course would not compete with the admirable Exploratorium, but would complement its perceptual-science exhibits in new and exciting ways.

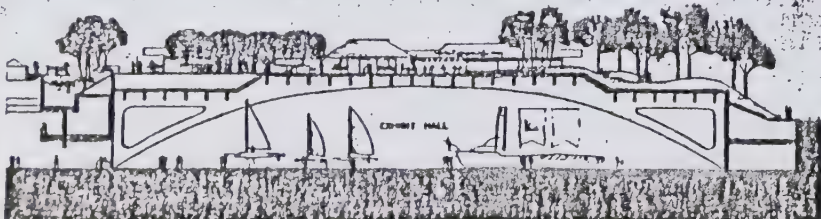
Not only IBM, which is one of the largest employers in the Bay Area, but all of the great technological corporations — which have made so much money in San Francisco, and done so little for it culturally — might now pitch in to show the humane potentialities of modern life.

Could not the airlines and railroads and telephone compa-

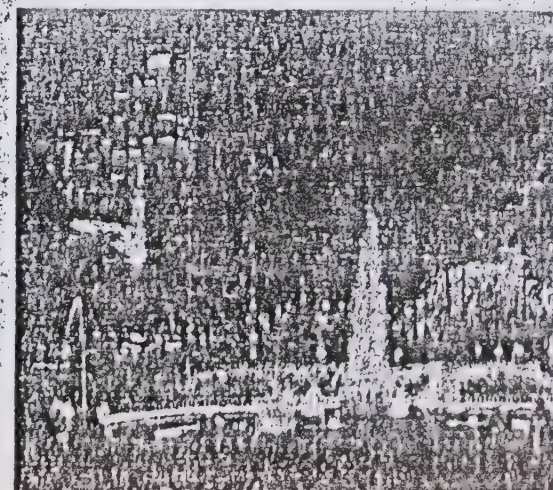
ny, for example, create something on the order of the marvelous "Transportation" and "Communications" Museum at Lucerne, Switzerland?

But it is above all up to San Francisco to take the lead, and make the most of such chances. This Boas proposes to do, and so should the whole citizenry, especially those who for so long have fought, sometimes bitterly, often sadly, for better things at YBC.

Together we can make a park such as was hot dreamed of when Tivoli was designed in the Victorian Age. In the selection of architects to make that vision come true, as in the evolution of the entire program, San Francisco should now be governed by a desire for excellence in all things.



Powerful exhibit hall arches, spanning 300 feet, can support heavy loads of earth or structures of cultural park



Fountains of Tivoli gardens show potential splendor of Yerba Buena's park



# City Of Berkeley



PARKS AND RECREATION COMMISSION  
2180 MILVIA STREET BERKELEY, CALIFORNIA 94704

(415) 644-6530

## FOR COUNCIL INFORMATION

November 8, 1983

To: The Honorable Mayor and  
Members of the City Council

From: Parks and Recreation Commission

Subject: WATERFRONT PLANNING PROCESS

### Introduction:

At a special meeting of October 17, 1983, the Parks and Recreation Commission approved the following report as an informational item to the City Council regarding the Waterfront Planning Process.

Commissioners Present: Schemmerling, Couch, Hester,  
Ratcliff, Temko, Twombly

Commissioners Absent: Jackson, Peeler, Williams

The Commission reviewed the Phase I Waterfront Planning Process-Report and Recommendations and found it to be unsatisfactory. The Commission felt that the report lacked a focus and was devoid of guidelines of any substance, as there must be an organizing principle for a development of this magnitude. The Parks and Recreation Commission strongly recommends that the guiding principle be: "that any development of any nature at the Berkeley Waterfront be for public use or of direct benefit to the public."

The Commission believes that the recreational, cultural, institutional, and commercial activities at the Waterfront must have the focus of use and benefit for the public. Therefore, the Commission is of the opinion that extensive residential development, or office facilities for private enterprise are inappropriate uses for this site. As with Golden Gate Park in San Francisco, or Central Park in New York City, this unique site must be developed as a public resource. This does not preclude revenue and job possibilities at all, only that anything that is done there should benefit the public directly. Therefore, the Parks and Recreation Commission cannot recommend adoption of the City staff's proposed goals until the issues raised by the Commission are addressed and incorporated. Additionally, the Commission has other problems with the report. They are:

1. The report omits recreation and open space policy statements.
2. No mention is made of priorities among uses.

3. The report fails to mention the consensus of the public workshops which emphasizes the majority goal of recreation and open space. These appear in the surveys included in the attachments.
4. No mention of the availability of the State Park monies and the June 30, 1983 cutoff date for that money is made.
5. There is no response to the Commission's request of staff in February, 1983 for answers to the Commission's questions regarding:
  - a) A full exploration of acquisition options for the waterfront, such as State Park funds, federal funds, private funds, land trusts, bonds, etc.
  - b) A full exploration of legal options such as an examination of zoning for open space and recreation, zoning for commercial uses and the possible ratios of one to the other.
6. The staff has produced no data of its own, either environmental or economic.
7. Staff made no proposals of methods for implementing landuse goals.
8. The report does not offer specific components to consider in preparing alternative development possibilities.
9. Any report that has more appendices than summary or recommendations, and fails to have those pages of appendices numbered at all, wastes valuable time of all those who have to try to use it.

The Parks and Recreation Commission's additional recommendations are much the same as those the Waterfront Advisory Board made. That report is included here with the Commission's changes or additions bracketed.

1. An overall statement about the values of the waterfront setting (for public use) and the general direction of City policy toward those values.
2. Reaffirm the City's longstanding Master Plan goal to "develop an unbroken stretch of open space" along the shoreline.
3. Large areas of recreational open space shall be part of any specific plan for the waterfront (including at least one parcel no less than 25 acres).
4. Public access to all the shoreline shall be maximized (for) recreational use.
5. (City to take advantage of the State Park Funding for Park Development.)

6. Reword Goal 2.0: To insure that the proposed plan shall require no net expenditure of local funds over the long run for its development or implementation, and that it contribute to the net income stream of the City, (not revenue "to the greatest extent feasible).
7. Commercial development on the waterfront shall be consistent with the overall economic wellbeing of Berkeley's downtown and other existing commercial centers in the City, including the waterfront.
- (8. Staff should specify types of jobs they feel are needed on the waterfront.)

The Parks and Recreation Commission also agreed with the Waterfront Advisory Board that the following additional steps need to be taken:

1. Regardless of the specific procedures chosen, the next step for planning must be adoption by the City Council of a clear statement of goals and priorities. (Most importantly, the one that development should be for public use.)
2. These goals and priorities should be accompanied by a few broad alternatives describing possible concepts for use of the Waterfront and a staff recommendation from among the alternatives.

Given the many differing desires of Berkeley citizens on the best future use of the waterfront and the difficulty of most citizens in evaluating the full implications of alternative directions at such an early stage in the planning process, the Planning Department staff need to help (to develop) public debate by providing analysis and recommendations on substantive alternatives. Such recommendations will be as valuable as they are controversial.

3. Following approval of these goals and alternatives, master plan amendments and a specific plan shall be prepared.
4. Preparation of the EIR for the Master Plan and the specific plan should begin at the earliest stage in the process.
5. Any decision on the need for a negotiated development agreement to implement the specific plan should await resolution of the direction and content of the specific plan. It is premature at this point to judge whether the negotiated agreement will be useful in the implementation of the specific plan.

  
CAROLE SCHEMMERLING, Chairperson  
by [signature]

# City of Berkeley



TRANSPORTATION COMMISSION  
2180 MILVIA STREET, BERKELEY, CALIFORNIA 94704

(415) 644-6534

FOR COUNCIL ACTION

November 8, 1983

TO: Honorable Mayor  
and Members of the City Council

FROM: Transportation Commission

SUBJECT: PHASE I WATERFRONT PLANNING PROCESS

The Transportation Commission reviewed the Phase I Waterfront Planning Process Report at its special meeting of October 4 and its regular meeting of October 18, 1983. Commissioners found the report inadequate in most respects, although it does contain information that would be valuable if better organized.

## Issues, Goals, and Policies

Our major concerns about the issues, goals, and policies are as follows:

- The report does not identify matters on which the community is in agreement, nor does it clearly point out those areas where controversy or conflict exist. The tradeoffs and compromises that may have to be made are not elucidated.
- The report fails to present data to back up the discussion material and to support proposed policies; nor does it outline further information that is needed before a course of action can be chosen. The proposed policies cannot be weighed against the potentials and problems for which we are planning until we have better data and analysis.
- The proposed goals and policies address only a subset of conditions and issues identified. The report does not link the goals and policies to the issues, and there is not a clear correspondence among them. Many of the issues identified in the meetings and even in the text simply are not addressed in the policy statements--for instance, the role of Berkeley's Waterfront in the context of the region, its relationship to the rest of the city, and the extent and kind of open space to be maintained on lands currently in private ownership.



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- The policies, as stated, provide little guidance either to staff or to potential developers. Many are worded in such general terms that they offer no direction. Furthermore, the policy list is incomplete; a number of land uses are not even mentioned. Little is said about administrative/regulatory/financial policies (including the roles of public and private actors). Policies are not designed to show how they would be carried out whether directly through city programs or by placing requirements on potential developers.

Because these problems are substantive and wide-ranging, the Commission can not recommend the adoption of issues, goals and policies at this time.

The Commission also provided a number of detailed comments to staff on which no consensus was reached and therefore is not forwarded.

#### Phase II Options

For Phase II planning, the Commission adopted (7-1 MSC Clayton/Rekdahl) the statement which follows. (For: Bach, Bendich, Clayton, Deakin, Rekdahl, Shiver, Zukas; Against: Pancoast; Absent: deJoie)

The Transportation Commission recommends a procedure for Phase II planning for the Waterfront which would begin with the development of a specific plan, from which Master Plan and zoning ordinance amendments would follow as needed. A single Environmental Impact Report would document these planning efforts. A development agreement could be included as an implementation step, if it is found appropriate; however, a decision on the need for a formal development agreement to implement the specific plan should await resolution of the direction and content of the specific plan--it is premature at this point to judge whether a development agreement would be useful in the implementation of the plan. Commissioners assume that whatever planning process is chosen, Santa Fe, the Coastal Conservancy, and other major actors will participate actively.

The Commission further recommends that its proposed option (or any other process chosen) should include the following:

1. Consideration of a range of alternatives: It is premature to rule out certain options from Waterfront planning; they have not been considered adequately. There are different priorities in the community, different goals and objectives. We should develop

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alternatives that respond to each rather than shut some interests out of the process. We should use the development of alternatives as a way to clarify the issues, and search for a way to balance the competing interest. Focusing on alternatives should help focus discussion as well as clarify the issues.

One approach would be (for example) to take Santa Fe's proposals as "optimal from the developer's point of view" and look at a "keep it all in open space" option as the other end of the range of options. Other alternatives in between these two could be designed to illustrate the choices and tradeoffs.

2. Public Involvement: Any process should be clear and open, so that even if some people don't agree with every choice made they will feel that the process is legal and fair. The process should build the capacity of staff to do planning in a participatory way, and should help develop substantial agreement in the community for implementation.

Public involvement should include not just a public hearing at the end, but an open process where information is available to all and involvement of a wide range of interests is sought. Workshops, small group meetings, and public presentations should occur throughout the process. A steering committee composed of commissioners, boards and community representatives also might be established to provide on-going input and to review interim reports.

3. Impact Prediction: Evaluation of the alternatives should be an integral part of the planning process, so we know what the social, economic, environmental, financial and administrative/regulatory effects of each alternative might be. This information is needed early to guide the refinement of alternatives and to inform the selection of a preferred one. The formal EIR should document the impact studies, not begin them; otherwise, it comes much too late in the process to be of use in decision-making.
4. An Implementation Strategy: The planning process should include an explicit program of activities designed to assure that the plan is carried out. This would include not only any necessary changes in zoning, but also such matters as the establishment of an assessment district or other mechanisms for funding any public improvements that may be needed; development of ordinances and policy guidelines necessary to effectuate commitments to help with job training, follow strong affirmative action policies; hire locally, etc.; establishment of a timeline for putting development in place and providing public amenities; and so on. Approval of a final plan should not occur until the implementation element is



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done, so we can be sure the plan really is feasible and that all bases are covered. We need to be certain of both the FEASIBILITY and the DESIRABILITY of the chosen alternative--and its administration and financing are critical.

Many of the development control tools (financial methods, fees, or other actions) may be new to Berkeley, although not necessarily new to other cities. The required innovations will represent a strong administrative and legislative challenge.

5. A Staffing Plan: Whatever planning process is chosen, staff time will be needed. It is not clear that we can even supervise a planning effort carried out by consultants unless we augment staff or cut back on other critical activities (such as downtown and South Berkeley planning). Commissioners suggest the City consider hiring its own staff to do the planning (perhaps three staffers, augmented by a team of experts on a consulting basis to handle areas requiring special expertise). Funding contributions could be solicited from Santa Fe and others who have an interest in expeditious, high quality planning; or fees could "make up" the costs of city-funded planning. In any event, a clear staffing plan and proposal for paying for the planning is needed.

The Commission further recommends that Council direct staff to develop a preliminary work program that shows how the above items would be accomplished and give commissions, the general public, affected interests, and Council a chance to comment and make revisions before it is finalized.

## WATERFRONT COMMUNITY MEETING

October 20, 1983

Description of City Manager Report, purpose of meetings and upcoming hearing and Council action presented by staff of Planning and Community Development Department. Comments on how specific goals ought to be and concern that goal of preservation of open space not included discussed. Specific comments as follows:

### John Denton--Council Member

No parameters for decision making presented; does not include information on required access to waterfront, what Santa Fe wants; experts do not provide expertise; need information on where law is today re: preservation.

### Becky Tenko--Recreation Commission

How will recommendations of commissions be included? Copies of Board and Commission reports should be available; need publicity about availability of information. Objects to use of "mud" to identify wetlands which should be preserved.

### Bill Porter

Lack of sense of history; he has been on various groups in Berkeley but speaking for himself; glad to see progress; too much emphasis on process; losing sight of goal--establishment of a waterfront park--how do we balance with other needs of the City; favors a negotiated process; cannot do Master Plan first.

### F. Ray Violich

Planning isn't working in Berkeley; need thoughtful sensitive planning; waterfront an opportunity to use process to achieve social goals. Ecological relationships should form basis of recommendations--natural, social, economic inter-relationships; ecology is relationships. In report, issues, goals and policies not related to each other or process options.

### Jim McGrath

Has prepared in other locations regulations for waterfront development. Goal should be to dramatically increase access; meadow needs intense recreational development; design critical; how things relate to each other; improvement will increase use; favors specific plan process. State bonds can reduce revenue required to make uses feasible; rapid process will benefit City--lower interest rates, etc. Recreation and recreational access goal; need to grapple with height--views, soils issues; relate development to road capacity; residential will depend on making available for all groups.

Norman LaForce-Sierra Club

1. Report does not reflect workshops--some cynicism, e.g. in comparative emphasis on recreation and commercial use; primary goals should be recreational and open space use; not adequate meeting notice for workshop. 2. Workshop participants stressed compatibility with goals above. 3. Development should be in context of total city; not compete or undermine other areas such as downtown or South Berkeley. 4. Need to know jobs available to unemployed/under-skilled; study needed. City has chance to be creative; jobs should promote something better. Process--Master Plan and Specific Plan before negotiations with Santa Fe; recommend report not be accepted.

Marsha Gale-Berkeley Design Advocates

No indication how issues, goals and policies to be used; many not included. Environmental assessment needed before goals and policies accepted; now so vague anything can occur; specific recommendations provided (written statement provided).

Carey Marshall-Chamber of Commerce

Presented policy statement of Chamber; waterfront should reinforce, complement downtown as most intense area of development; uses should generate jobs; uses should relate to the site; public cost should be offset by tax income to the City; need clear goals and policies. Should result in clarity of approved development so projects can be approved with minimum public review.

Michael Lawson, South Berkeley LDC

Wants negotiated process; balanced economic growth with recreational use; minority equity participation at every stage--planning, development, operation; would like planning to move along faster; site provides opportunities to meet many needs; citizens previously shut out must be included.

Robert Marshall

Recreation is good if you can afford it; do not seem to be making progress; jobs for unemployed, equity participation, expanded tax base, affordable housing all important; encourage involvement with Santa Fe; don't cut off benefits to those who need jobs. Everyone important in ecosystem; make City better for everyone.

John Denton-City Council

Section on litigation not correct; described history of shopping center proposal. State has put up \$10 million for East Bay park; recommends immediate Master Plan amendment so state can move on acquisition because value of land can then be set based on Master Plan policy. Concerned we have not made any progress; still looking for process; objected to Mayor's conference for presentation of Santa Fe proposal--just before waterfront hearing. Staff is too concerned with economic development; spent \$500,000 on legal fees to protect the waterfront; cannot let it go now.



Jim Sweeney--Council Member

Now is not time to attack but to get specific on what to do; need information as early as possible.

Betty Deakin--Transportation Commission

Recommends specific plan; need development options to study and discuss; concern with more work program in options; how alternatives would be considered; public involvement and outreach program needed; EIR process can be summary of work done; information needed through process; care to use planning resources wisely; development agreement may be used toward end in any option; need clearer statement of goals, issues and policies; recognize disagreements in City; need participatory process.

Edward Bennett--Waterfront Advisory Board

Personally concerned with timing and methods of Santa Fe presentation; waterfront a regional resource; Waterfront Board identified shortcomings of the report; need other goals; identify values of setting. Goals need rewording so expenditures create no net expenditures to the City rather than maximum revenues.

Colleen O'Neill

Lives in West Berkeley; massive development will not solve economic problems; fishing important to West Berkeley residents; would be threatened by intensive development; see what is being developed throughout Bay Area--Emeryville, S.F., etc.; low rent area will be gentrified by intensive development; landscaping, gardening jobs important; need outreach in West Berkeley.

Frank Davis--Sacramento-Ashby Improvement Council

Income from waterfront can provide needed services to Sacramento and Adeline corridors; need to develop to provide employment for our citizens so we stop losing black population; genocide when blacks forced out of Berkeley.

Urban Care

Concern with issues of state parking taking over; need our plan first.

Barry Wofsy

Jobs money has not been spent for unemployed but for staff; concern with freedom of press and speech, e.g. Berkeley Voice firings.

Peter Brandt--State Coastal Conservancy

City has supported shoreline park; maximize utility of state funds; seek additional funding. General obligation bonds will go on 11/84 ballot; authority for revenue bonds passed. Need to work out character of shoreline park; measure development in terms of access to recreation; invited those interested to design charette 10/24/.

Becky Temko--Recreation Commission

Report too general; inadequate; did not present input received and contained no recommendation on options; report did not include 20 acres for multiple use field; poorly written. Wants state park funds

protected; need zoning for that; waterfront public resource; do carefully; do not violate waterfront integrity; City in control of this regional resource; quality of life important.

Brian Wiese-No. Calif. Land Trust

Economic development vs. preservation rift developing; development can occur within concept of park and preservation; need jobs that provide real opportunities to those in need; recommends clear Master Plan amendment; present scenarios and economic implications; need independent economic consultant.

To: Members of the Berkeley City Council, Planning Commission, Transportation Commission, Parks and Recreation Commission, and the Waterfront Advisory Board.

From: The Waterfront Subcommittee of Berkeley Design Advocates (BDA)- an organization of design professionals advocating environmental design proposals which are creative and which enrich Berkeley's urban experience.

Date: October 19, 1983

Re: The Waterfront Planning Process: Report and Recommendation, Phase I, (September 1983)

The Waterfront Subcommittee of BDA has thoroughly reviewed the above report and would like to make the following suggestions and comments:

#### General

1. No indication is given of how "Issues, Goals and Land Use Policies" (Chapter IV) are to be used. Are they to become part of the Master Plan if Option 3, 4 or 6 is chosen? As stated, they are procedural only and could not be used as a framework for guiding land use allocations on the site.
2. The report does not reflect many of the goals and policies as expressed at the community workshops held during this past summer.
3. An environmental assessment should be completed before "goals and policies" are adopted. This sequence would provide a framework for developing goals and policies and also a way of evaluating goals and policies. As now stated, no clear indication is given as to how "issues" were used to formulate the goals and policies. Issues should be enumerated so that goals can address individual issues.
4. The site is extremely varied in its land forms and in its relationship to the water, views and adjacent land uses. Certain land uses will function well only in certain places. Before the City Council adopts specific land use and circulation policies, these should be tested as to how they work in spatial terms. Previous work performed by the UC Simulation Laboratory for the Berkeley Waterfront is one example of how these policies might be tested. The Waterfront Subcommittee of BDA recommends that City Council review this film before adopting any Plan or Planning Process for the Berkeley Waterfront.

#### Goals and Policies

1. The vagueness of the goals and policies, as now stated, would allow any type of development to occur at the waterfront.



2. Goals should balance conflicting issues against each other. For example, a statement may read "Development at the waterfront should provide revenue for the City without damaging the unique features of the site or precluding public-serving, recreational use of the waterfront."
3. A priority for job creation and economic development is implied by both specific text (e.g., p. 14, "Social Goals") and the sequence in which goals and policies are presented, without stating how such goals can be balanced with recreation, open space or other needs.
4. The report should address both short- and long-range development in its section on economic issues. Private and public funding opportunities will fluctuate significantly over the next 10 to 20 years.
5. Policies should be specified as to:
  - o Land Use Policies
  - o Transportation Policies
  - o Economic Policies
  - o Recreation/Open Space Policies
  - o Administrative Policies

As stated under each "Goal", land use policies are not always related to land use issues. Policies which address urban design, transportation, residences, commerce, industry, and recreation should be stated clearly at the beginning of the report.

6. Land use policies should include an ordering of geographic aspects of the site such as the following:
  - o Relationship of the site to the City and region
  - o Relationship of urban development to adjacent neighborhoods

#### Specific Recommendations

1. The following goals should be included:
  - a. Maximize the natural maritime quality of the site in adapting it for recreational and educational purposes.
  - b. Express Berkeley's strong interest in balancing ecology and development.
  - c. Increase opportunities for the public to interact with the natural open quality of the site and the water.
2. The Economic Goals should include the following:
  - a. Within the parameters established by the Urban Design and Recreation Goals, optimize revenues and jobs through limited public-private facilities.

- b. Preclude commercial and other job-generating developments from competing with or destroying the vitality of other areas of Berkeley.
  - c. Provide opportunities for small-scale business enterprises, typical of Berkeley's economic and physical patterns.
3. The Social Goals should include the following:
- a. Create a sense of identity with the social-cultural character of Berkeley.
  - b. Maximize community participation and interaction among a diverse range of users.
  - c. Provide opportunities for a "24-hour" community (i.e., not all office use which closes down at sunset)
4. Goal #1 should not be the first goal. This is a city-wide goal and is not specific to the waterfront. There should be a statement that employment at the waterfront should be balanced with economic development goals for other parts of Berkeley (e.g., the Downtown or South Berkeley)
5. Goal #2 rules out public uses and promotes the highest and best use for the waterfront in economic terms only. This goal would encourage the greatest revenues to the private sector.
6. Goal #3 should actually be policy #3.2, as this indicates that a sense of community is important and fosters community participation.
7. Goal #4 repeats Goal #3. These should be combined to be one Social Goal.
8. Goal #5 is a Physical and not a Social Goal.

In conclusion, goals and policies should form the basis of the main text of the Berkeley Waterfront Plan which should include:

- 1. Land Use Plan
- 2. Transportation Plan
- 3. Open Space Plan
- 4. Urban/Environmental Design Plan

At a later date, BDA intends to make more specific recommendations in order to assist in completion of Phase I and preparation for Phase II.



# BERKELEY CHAMBER OF COMMERCE

TELEPHONE (415) 845-1212  
1834 UNIVERSITY AVENUE

MAILING ADDRESS: P. O. BOX 210  
BERKELEY, CALIFORNIA 94701

## Policy Statement: BERKELEY WATERFRONT DEVELOPMENT

The Berkeley Chamber of Commerce, representing more than 500 businesses in the City of Berkeley, is the major voice representing the business perspective on Berkeley development. The Chamber, recognizing the unique environment of the waterfront and the need for balanced planning, identifies the following issues of primary importance in planning for development of the Berkeley Waterfront:

1. The Central Business District of Berkeley should continue to have the most intensive development in the City of retail, commercial, office and hotel uses, because of its historic role, its central location, its accessibility by all forms of transportation, and the proximity to the University;
2. Development at the waterfront should reinforce and compliment the economic health and growth of the Central Business District, South Berkeley, and the existing neighborhood commercial areas of Berkeley;
3. Uses at the waterfront should generate property, sales, hotel and business license tax income to the City, and should generate employment for Berkeleyans and others in the region;
4. Planning for the waterfront should focus on uses to attract and serve the region, which will relate to the special water and view environment, which will take advantage of the proximity to the freeway and car-orientation but generally not generate travel at peak hours;
5. The public costs of retaining and maintaining portions of the site as public open space should be more than offset by tax income from development, so that the waterfront will contribute positively to the City's tax base;
6. The City should define clear goals and objectives and adopt a plan for waterfront development which will permit developments to proceed with a minimum of special reviews.

ADOPTED: Board of Directors  
October 17, 1983



October 3, 1983

Dear Members of the City of Berkeley's Parks and Recreation Commission,  
Planning Commission, Transportation Commission, and Waterfront  
Advisory Board:

We have thoroughly reviewed the Waterfront Planning Process: Report and Recommendations, Phase I, September 1983. We find that the report does not reflect the goals expressed by the public in the community workshops upon which the report is supposed to be based. If you approve this report without reconsidering the recommended goals and process options, you will be approving policies which will permit almost any kind of commercial development and which do not provide needed recreational opportunities.

The draft goals are most notably deficient because they do not state two major points which came out of the community workshops. First, workshop participants identified recreational and open space use as the highest priority for Berkeley's waterfront. The report does not make this a separate goal; indeed, it is not even mentioned. Any development should be integrated into a plan which makes open space and recreational use the major function of the waterfront.

Second, at the workshops, the community expressed the need to relate the waterfront to other areas of the city and to protect existing commercial areas from competition with commercial waterfront development. Nowhere in the draft goals is there any mention of this concern; in fact, the entire report seems weighted heavily in favor of development of the waterfront. It is incredible that with all the concern expressed in Berkeley for jobs and economic development that the report fails to address the need to prevent any commercial developments on the waterfront from destroying the economic vitality of other areas of the city. Nor does the report provide any goals for permitting and promoting development in other areas of the city in order to fulfill two needs recognized by workshop participants: the need for city-wide economic planning and the need for greater recreational use of our waterfront.

The "Goals and Land Use Policies" section of this report includes a wide mixture of vague policies which would basically give any developer carte blanche for development on the lands addressed. If a development plan were proposed at the present time, and the only adopted Berkeley land use policies were those stated in this report, any range of development scenarios would be "in compliance" with these policies. Only after extensive revisions could these policies be used as guidance for future decision-making.

We recommend that the commissions not approve the goals in their present form. We urge that you review the goals from the June 1st and June 4th community workshops listed in the "Attachments" section of this report. In the category "Uses/Economic Development/Jobs," there are many references to the waterfront's primary role as a recreational, open space resource. We recommend that you revise the draft goals to reflect the

strong support for a waterfront park voiced in the community workshops. While economic development may be addressed in the policies, other goals have a higher priority because of the uniqueness of the waterfront area. Finally, the commissions need to articulate goals and policies which will protect existing commercial areas from adverse competition with waterfront developments.

For Phase Two, the Berkeley Planning Department has endorsed three options (Options #4, #5, and #6). Of these, only Option #4 provides the means for achieving the four primary purposes of any planning process: impartial integration of the community's major concerns, maximum citizen involvement, adoption of a clear framework within which a development proposal can be made, and strict guidelines on land use development which ensure implementation of the community's goals.

By starting with a draft Master Plan Amendment, Option #4 recognizes the need to place the waterfront in the overall context of the city's planning and needs. Once these goals and policies are decided, then the drafting of a Specific Plan will enable the city to develop clear and specific guidelines for development. It is critical that the Specific Plan have clearly defined guidelines, such as areas for specific land uses, height limits, open space requirements, and road requirements -- issues which have not been addressed at all in the report. Option #4 allows for a logical progression from more general policies to more specific guidelines and clearly separates planning (eg. policies) from implementation (eg. development agreements or zoning).

Option #4 places the city in the role of an active agent for planning the future of the waterfront rather than merely reacting to proposals. Because the city must know what its own position is before discussing development proposals from the property owner, the city should not adopt any process which places the initiative in the hands of the landowner. Option #4 properly places the initiative with the city.

All of the three planning options which the Planning Department has proposed are departures from the traditional process and, therefore, all steps need to be spelled out explicitly before the city embarks on any one of them. Proceeding with a process that is not well thought out may well take longer than traditional methods. Most importantly, the public must know how it is to be involved and how public input will be translated into planning policy. Public hearings should be scheduled for each step of the process. The attached appendix gives a page by page analysis of many (but certainly not all) details in the report which need further thought, planning and clarification. We urge you to make your recommendations with a view of the waterfront as a unique area of the city which deserves careful planning.

Sincerely,

Norman La Force

on behalf of  
SIERRA CLUB'S EAST BAY SHORELINE PARK TASK FORCE  
c/o Sierra Club -- San Francisco Bay Chapter  
6014 College Avenue, Oakland, CA 94618



October 3, 1983

APPENDIX TO OCTOBER 3RD LETTER: The following comments address issues raised by the document, Waterfront Planning Process: Report and Recommendations, Phase I, September 1983, one by one and in the order in which they were presented:

p. 13, last paragraph: The first sentence of this paragraph seems extremely vague. Does it basically mean that because the site is located adjacent to I-80 that it should be left available for industrial and commercial uses, regardless of whether or not there is a connection with the waterfront? Why was there no mention of the many suggestions in all of the workshops that land uses at the waterfront should take advantage of the proximity to the Bay and should relate to the Bay environment?

p. 14, section entitled "Unzoned Status...": Why should the waterfront be the "dumping ground" for land uses which are unpopular elsewhere or for which specific zones are in short supply? This is a vital part of the community of Berkeley. There may be good reasons that certain land use zones are in short supply -- either due to being inappropriate for such a built-up urban area or due to associated environmental effects (ie. industrial land, mobile homes, etc.).

p. 14, section entitled "Physical Separation...": Just because there is not an organized community or neighborhood at the site now, one should not assume that it gives the city carte blanche in terms of development proposals. Isn't obvious that there is great concern for this area by the number of community residents who took part in the workshops over the past several months? Traffic does not stop at the edge of the site and the site is not only visible from within the site's boundaries.

p. 14, section entitled "Social Goals": If one reviews all of the policies and goals presented at the various workshops, it is clear that public discussion did not focus "most sharply on opportunities for the City to generate job creation" as stated in this section of the report. This section is extremely biased toward economic development. While this topic should be included in the policies, it should not be the primary focus for a plan which addresses such a unique setting.

p. 16, top paragraph: Who is to undertake the "needs assessment" and how is it to incorporate the plans for downtown? Few or none of the land use policies address the need to prevent competition with downtown development.

p. 18, last paragraph: Recognizing the existence of these regional agencies means nothing in itself. What about stating some of the plans and policies of these agencies as they relate to the waterfront?

p. 19, paragraph 3: This makes it sound as if those who were in favor of open space were totally vague about the definition of open space and recreational uses! Quite the contrary...Berkeley citizens who participated in the workshops stated clear ideas or types of recreational facilities (see the "Attachments" section of this report). While no one stated exact square footages of each type of recreational facility to be developed, for structural recreational facilities, the other goals such as a 35' height limit would apply! Nowhere in this plan is there a statement on the need to establish height limits.



p. 19, paragraph 5: Mention of the neighborhoods to the east of the site seems to contradict the previous statement on p. 14 which makes it seem that the distance from an established neighborhood gives the developer "free reign" to do anything with the waterfront lands.

p. 19, last paragraph: How is the suggested design review process to be instituted? Why is there no mention of establishing height limits? Will view corridors considered to be "protected" if one can look through two fifteen story structures?! More clearly defined terms are needed. Shouldn't structures relate to the S.F. Bay as well as to open space, and how is this to be accomplished?

p. 20, last paragraph: Why does the entire discussion of land use policies begin with "Economic Goals..." which were not at all the focal point of discussion at the community workshops. While these economic goals are part of planning for the city's future, it is extremely biased to place the discussion of the waterfront entirely within this context.

p. 21, Goal #2: What about the City's requirement to provide all the associated services to any development such as fire, police and water? Will all land uses necessarily offset these costs by revenue generated? It seems premature to establish such a strict goal before undertaking a cost/revenue analysis to determine if such a goal can possibly be met (stated in #2.3).

p. 21, #3.1: For whom and how is the planning process to be open?

p. 22, #4.2 and #4.3: These policies may conflict with #2.2 because of their low revenue generating potential. How can their incorporation into the waterfront be encouraged or guaranteed?

p. 22, #6.2: When will this be done? This should be done as part of the general plan as a means of determining areas slated for protection or limited development.

p. 22, section #6: The following should be added: "Restoring and creating areas with native vegetation and limiting access to environmentally sensitive areas."

p. 23, #7.3: Who is to provide this transit and how...a common policy of general plans which is never implemented because no responsibility is assigned.

p. 23, #8.5: It seems that some words are missing. Is this meant to say "View corridors and vistas..." should be preserved?

p. 23, #8.6: How far are structures to be set back?

Comments on Phase I Waterfront Planning Process Report and Recommendations

By Francis Violich

Prof. of City Planning and of  
Landscape Architecture, Emeritus  
UC Berkeley

A Role for Ecology

In the best interests of effective community participation, the introduction of the theme of ecological relationships ~~as a~~ ~~main~~ ~~point~~ would greatly help in finalizing the staff report and in preparing it for Council adoption. Certainly ecology is an all-pervading environmental theme today; first, in terms of natural or man-made landscapes; secondly, in relating the built environment to social needs; and thirdly, in interrelating various segments of the community to each other. All three of these are critical to the special quality of the Waterfront and of Berkeley as a whole.

But what is ecology? Here is one relevant definition that I quote from a recent record album of Paul Winters, the creative jazz composer - an album dedicated to the ecological issue of North Earth and our survival on it:

" The science of ecology is a science, not of material objects, but of living relationships. . . . objects are not the constitutive elements of reality, but relationships are."

Thus, it is not the land alone, or the water of the Waterfront, but the ecological link between them that gives the shoreline a life-sustaining force and such magnetic human appeal. It is not a question of what objects are to be placed there - whether community facilities, offices, hotels, housing, shops, restaurants, bookstores, boardwalks, piers or docks - rather, it is the interdependence among these and how their juxtaposition can better the social and economic lives of people that needs to be identified in policy-making. It is not the economic aims or benefits of waterfront development alone, nor the social values of shoreline open space alone, but the way they interrelate and express the geographic and human diversity of Berkeley as a whole, that should be the function of goals and policy statements. These qualities indeed make Berkeley the lively place it is, so we need to build these linkages into the Berkeley Waterfront as well.

Finally, this same concept applies to the planning process itself and to the rather unclear message of the Phase I report. Statements of issues, goals and policies in themselves stand lifeless, if they do not lead us from a recognition of the problems to be solved, and phrase goals that balance conflicts in a directional way toward the future conditions we wish to achieve. Policies grow out of goals and are dependent on them in so far as they provide guides to the kinds of actions to be taken to achieve goals and resolve issues.

This approach I see as a chief consideration in making the staff report a document meaningful to the community to assure their relationship and sense of identity with the final plan that will evolve in Phase II. While much useful material has been assembled in the staff report from the community workshops, there has been little of this kind of ecological interpretation of raw material.

In documenting this position I shall primarily focus on examples of these missing linkages between issues, goals, <sup>policies</sup> and their relation to options.

#### Some General Relationships.

1. The report does not define the role, purpose and interrelationship of issues, goals and policies and <sup>how</sup> their sequence provides deliberate steps toward decision-making.

2. It is not stated just how each are to be used in developing spatial plans and implementation programs in Phase II; thus, they are difficult to respond to, accept or reject.

3. The relation of each statement to informational data, to sources of emphases, to the specific workshops should be clarified and some verification of equitable community representation should be given.

4. While no priorities are given, the writing implies an unbalanced relationship weighted toward economic development at the expense of the social advantages of recreational open space.

5. The report needs fuller analysis of functional and visual properties of the site to show its potentials and limitations in relation to feasibility of carrying out land use policies. These must be tested as to suitability on the site before adoption for use in Phase II.



6. Most importantly, there is no indication of how issues, goals and policies relate to the six alternative Options. As stated these are procedural only, oversimplified and without content. They can only be evaluated in terms of the substance of the plan, ie, land uses and allocations on the site in relation to policy statement.

7. The essential relation of time and rate of development to feasibility of goals and policies needs to be addressed. The quality of the waterfront environment will be greatly affected by choices between large scale, short-range projects and smaller, long-term development.

#### Issues.

1. While the issues are comprehensive and well-categorized, they are too generalized to be useful in relating to goals. They should be stated individually and enumerated, as are the goals and policies, to facilitate their systematic use in formulating goals. This would allow for accountability in stating policies and in testing their feasibility for resolving issues.

#### Goals.

1. Goals should be considered non-spatial and related essentially to social and economic categories. All others are in reality either physical or administrative/regulatory policies. The point should be made from the outset that all development of a physical nature should be measured in terms of basic human purposes, not by physical conditions.

2. Each goal should serve to balance conflicting issues against each other. For example: The goal is to provide revenue for the city without damaging the natural qualities of the site. Or: Employment needs should be balanced with relation to opportunities elsewhere in the city and to social needs in a maritime setting.

#### Policies.

1. To be used accurately, policies should be dealt with by such specific categories as land use, transportation, administrative or economic. As written these are confused and make application difficult in spatial planning and implementation.

2. It is essential that land use and circulation policies be evaluated or tested as to how they would work in spatial terms before expecting Council to adopt them. Without opportunities to visualize ultimate environmental quality of the site, meaningful participation of citizens is weakened. This



site is so varied in its land forms and relation to water, views and access routes, that flexibility in locating uses is limited.

3. Land use policies not only need to be more specifically identified but should be systematically dealt with in relation to the various geographic scales that form the context for planning. As written now, there is no clear concept of overall geographic relationships. Such a policy framework might be incorporated with a statement of over-riding social and economic goals and precede the more detailed land use policies.

Thus, a hierarchy of policies could be developed indicating intended relationships of the Waterfront to the following geographic scale or service areas. For each, examples are given:

#### Immediate Eastbay Region

+ Due to its central position in the region and potential social and economic benefits to the city, Berkeley's waterfront should be planned to serve as the centerpiece for an expanded maritime function of the Eastshore from Richmond to Emeryville.

#### CITY As a Whole

+ Waterfront uses and general character of development should reinforce the East-West axis from the hills to the Bay about which the city's spatial system is structured.

+ Berkeley's waterfront should extend the present general urban character, its community vitality and diversity and its scale down to the water's edge where compatible with existing conditions. It should have an identity with Berkeley's qualities for resident users and for visitors alike.

+ Waterfront conservation for recreational and educational purposes and its development for economic benefit should be balanced in a compatible relation to site conditions.

#### Adjacent Neighborhoods

+ The Waterfront should be planned closely with potential benefits in mind for the neighborhoods east of the Freeway and all of West Berkeley as a single planning unit along with the Waterfront.

#### Open Space and Development Within the Site Itself

+ The entire waterfront - developed and undeveloped - should be considered the frame for preparing the plan in Phase II. Within that approach, open space should predominate in an unbroken pattern and major development for employment purposes should be concentrated into as compact and integrated unit as possible.

+ Maximum emphasis should be given to increased use of the water surface for maritime recreational uses and for the land based facilities that are needed to support them.

Access to and Circulation on the Site Itself.

+ More intensive uses should be located in closest relation to existing access points at the periphery of the site and main vehicular routes should be restricted to those presently built.

+ Those areas closest to the shoreline should be maintained as pedestrian precincts and pedestrian connections to West Berkeley should be provided.

+ Maximum provision for access to the Waterfront by transit should be made in the interests of minimizing presence of the automobile and maximizing pedestrian circulation.





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## Costs for Phase I Waterfront Planning Process

This attachment supplements information provided in the September 1983 report. Costs are broken down by time period and category:

	<u>April 26 to September 19</u>	<u>September 20 to December 8</u>
Salaries*	\$ 32,750	\$ 15,000
Rental of Senior Centers	150	
Material	800	200
Duplication	800	2000 **
Mailing	900	300
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TOTAL	\$ 35,400	\$ 17,700

\*Includes temporary clerical support

\*\* Includes outside printing of Phase I Report